



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

June 7, 2005

The Honorable Paul Williams
Chairman
Armed Services Board of Contract Appeals
Skyline Six, 7th Floor
5109 Leesburg Pike
Falls Church, VA 22041-3208

Dear Judge Williams:

The Office of Government Ethics (OGE) recently completed a review of the Armed Services Board of Contract Appeals' (ASBCA) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated ASBCA's systems and procedures for ensuring that ethics violations do not occur. Besides reviewing the program elements reported in this letter, we discussed ASBCA's coordination with the cognizant Inspector General's office in our review of the enforcement element. While there was not any activity within this program element, we were satisfied that your procedures are sufficient to meet the requirements relevant to the element. ASBCA currently has no ethics agreements in place and no special Government employees. The review was conducted during April 2005.

We did not identify any deficiencies in the ASBCA ethics program. The public and confidential financial disclosure systems are generally well managed and the ethics training program appears to be administered effectively.

I have enclosed a copy of the report for your information. Please call me at 202-482-9292 if I may be of assistance.

Sincerely,

Marilyn L. Glynn
Acting Director

Enclosure



United States
Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

June 7, 2005

David V. Houpe
Designated Agency Ethics Official
Armed Services Board of Contract Appeals
Skyline Six, 7th Floor
5109 Leesburg Pike
Falls Church, VA 22041-3208

Dear Mr. ~~Houpe~~ *David*:

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HIGHLIGHTS

We did not identify any deficiencies in the ASBCA ethics program. The public and confidential financial disclosure systems are generally well managed and the ethics training program appears to be administered effectively.

ADMINISTRATION OF THE ETHICS PROGRAM

The ASBCA ethics program is administered by you, the Designated Agency Ethics Official (DAEO). You also serve as ASBCA's Chief Counsel. You are assisted by the Alternate DAEO (ADAEO), who is ASBCA's Executive Director/Recorder. You receive additional support and guidance as needed from the Department of Defense Standards of Conduct Office.

PUBLIC FINANCIAL DISCLOSURE SYSTEM

To evaluate the effectiveness of the public system, we examined all 31 public reports required to be filed in 2004 by ASBCA employees. All 31 reports were filed, reviewed, and certified in a timely manner. Our examination of the public reports revealed no substantive and few technical deficiencies.

CONFIDENTIAL FINANCIAL DISCLOSURE SYSTEM

To evaluate the effectiveness of the confidential system, we examined all nine confidential reports required to be filed in 2004 by ASBCA employees. All nine reports were filed, reviewed and certified in a timely manner. Our examination of the confidential reports revealed no substantive or technical deficiencies.

ETHICS TRAINING

All ASBCA employees received verbal annual ethics training in 2004, whether they were required to or not. Training consisted of videos and handouts addressing ethics-related issues such as the Hatch Act, gifts, and post-employment restrictions. You were available during training sessions to answer questions.

Because there are very few new employees hired each year and because of the small size of ASBCA, you personally ensure that new employees receive initial ethics orientation. New employees receive the proper materials and are given one hour to review them.

ADVICE AND COUNSELING

To evaluate the quality of advice provided by ASBCA ethics officials, we examined a sample of the ethics-related written determinations rendered during 2004. The advice we examined covered a variety of ethics issues, including gifts from outside sources and outside activities. We found the advice to be accurate and rendered in a timely fashion.

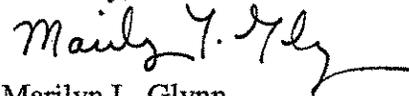
TRAVEL PAYMENTS FROM NON-FEDERAL SOURCES

ASBCA has written procedures for accepting travel payments from non-Federal sources under 31 U.S.C. § 1353. To evaluate the effectiveness of these procedures, we examined the only payment on ASBCA's two most recent semiannual reports to OGE of payments in excess of \$250, covering the period from October 1, 2003 through September 30, 2004. The payment appeared to be accepted in compliance with 31 U.S.C. § 1353.

Mr. David V. Houpe
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In closing, I wish to thank you and the ADAEO for your complete cooperation and your efforts on behalf of ASBCA's ethics program. Please contact Megan Granahan at 202-482-9202, if we may be of further assistance.

Sincerely,



Marilyn L. Glynn
Acting Director

Report Number 05- 012