



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

October 3, 2003  
DO-03-018

MEMORANDUM

TO: Designated Agency Ethics Officials, General Counsels, and  
Inspectors General

FROM: Jack Covalleski  
Deputy Director for Agency Programs

SUBJECT: Program Plan of Agency Reviews for the First Half of  
Calendar Year 2004

Attached for your information is the program plan of agency ethics reviews scheduled by the Office of Government Ethics (OGE) for the first six months of calendar year 2004. We will attempt as much as possible to follow the schedule set forth in the attachment. Some of the agencies were listed in the previous program plan, but were not reviewed due to other priorities.

We will contact the Designated Agency Ethics Official (DAEO) or designee by telephone approximately one month prior to our entrance into the agency, followed by a letter of confirmation. Should there be reason why you cannot receive us as scheduled, please call Ed Pratt, Associate Director for Program Reviews, at 202-482-9270, or Jerry Chaffinch, Senior Management Analyst of the Program Review Division, at 202-482-9221.

This year we will continue with our new program review procedures to evaluate agency ethics programs more effectively and to make better use of our time and yours. We will perform a pre-review of an agency's ethics program to determine what type review, if any, we will do at an agency. This pre-review will include an examination of our internal documents filed by the agency and prior agency review reports; and discussions with the OGE desk officer and the agency's ethics officials and Office of the Inspector General representatives.

We have also initiated a survey of agency employees in selected agencies as part of our pre-review to determine their

opinion as to how effectively the ethics program is serving their needs and protecting the agency. We will report on the results of this survey to the Designated Agency Ethics Official in our program review report. Because of the lead time required to prepare, conduct, and analyze these surveys, we will be contacting those selected agencies well in advance.

Based on the pre-review work we will then make a decision as to what type of review to perform. If the pre-review finds no weaknesses in the program, no further review will be performed. If we do find problem areas, we will conduct one of the following type reviews:

1. Level 1 Review: This is a limited review that usually takes less than a week to perform and would be similar to the reviews OGE has conducted in regional offices and military installations outside of the Washington, DC area. This is a quick inspection of the program or parts of the program.
2. Level 2 Review: This is an in-depth review of one or more aspects of the ethics program which appeared in our pre-review to have some weakness. For example, we could look at only the confidential financial disclosure system or the written advisory opinions, or both.
3. Level 3 Review: This would be the full review of the ethics program as we have done in the past.

As we indicated in the program plans for calendar year 2003, new review steps were added to examine the agency's program to enforce the criminal conflict-of-interest statutes and the standards of conduct. We will be looking at the agency's systems for taking administrative action when an ethics matter referred to the Justice Department is declined for prosecution, or when violations of the standards of conduct have occurred. This review will include discussions with the Human Resource Office, the Office of Inspector General, the ethics officials, and possibly, agency supervisors.

We are also continuing to look at ethics agreements more in-depth to determine whether screening mechanisms established to enforce recusals are effective. We may speak with screening officials to determine their experience with the screening mechanisms and how often they have been used.

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Our usual practice, once a review has been completed, is to send a report to the DAEO with recommendations for improving the program. We ask that the DAEO respond to our recommendations within 60 days as to the actions he/she has taken or plans to take. We do not send our reports to the Congress, but occasionally a Congressional committee will request a report of an agency under its jurisdiction. These requests are granted and the agency DAEO is informed that we have received such a request. Moreover, we do not send copies of our reports to the news media, nor issue press releases concerning the reports. Periodically, we do release reports to the news media in response to Freedom of Information Act requests.

We are continuing to ask that you complete our Agency Program Review Evaluation form after you receive the report. Please take a few moments to provide us with feedback on the usefulness of our reviews and reports, and identify areas for improvement. Thank you for all the comments you have already given us; they have been extremely useful in modifying our review techniques.

We will be holding brown-bag luncheon meetings at noon on January 20 and February 3, 2004 to discuss our review procedures and allow you to ask questions. Any ethics official is invited to attend. Please call Mr. Chaffinch to make a reservation for one of these dates. The review procedures are posted on our web site at [www.usoge.gov](http://www.usoge.gov) for your convenience.

We hope that this memorandum answers some of your questions concerning our review process. Should you have any other questions, please call Mr. Pratt.

Attachment

OFFICE OF GOVERNMENT ETHICS

JANUARY - JUNE 2004

PROGRAM PLAN OF AGENCY REVIEWS

**PROGRAM REVIEW SCHEDULE**  
**JANUARY - MARCH 2004**

1. National Institutes of Health
  - Office of the Director
  - Alcohol Abuse and Alcoholism
  - Ophthalmological Diseases
2. National Archives and Records Administration
3. American Battle Monuments Commission
4. Ft. McPherson
  - Garrison
  - U.S. Army Forces Command
  - Third U.S. Army
5. Substance Abuse and Mental Health Administration
6. Defense Threat Reduction Agency
7. Advisory Council on Historic Preservation
8. Office of Personnel Management
9. Federal Financial Institutions Examination Council

**PROGRAM REVIEW SCHEDULE**  
**APRIL - JUNE 2004**

1. Federal Communications Commission
2. Export-Import Bank
3. Navy Region Northeast
  - Commander Northeast Region, Groton, CN
  - Naval Submarine Base, Groton, CN
  - Naval Station, Newport, RI
4. Department of the Navy
  - Secretary of the Navy
  - Naval Sea Systems Command
5. Broadcasting Board of Governors
6. Corporation for the Purchase from People Blind or Severely Disabled
7. Overseas Private Investment Corporation
8. Selective Service
9. International Joint Commission