



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
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June 16, 2003
DO-03-010

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 Second Half of
Calendar Year 2003

Attached for your information is the program plan of agency ethics reviews scheduled by the Office of Government Ethics (OGE) for the second six months of calendar year 2003. 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 202-208-8000, ext. 1115, or Jerry Chaffinch, his assistant, at ext. 1157.

This year we have changed our 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 consist of examining our internal documents filed by the agency, an examination of prior agency review reports, and discussions with the agency's OGE desk officer, the agency's ethics officials and Inspector General's Office.

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.

We have added review steps 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 will also 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.

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

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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.

Finally, beginning with the reviews that will be planned for the later part of 2003, we may be conducting an ethics survey of employees at your agency. Because the survey will need to be administered and the results analyzed prior to the commencement of any review, we may be notifying you of our planned review and of the survey prior to the issuance of our future program plans. We will keep you informed as implementation of the survey progresses.

We hope that this answers some of your questions concerning our review process. Should you have any other questions, please call Mr. Pratt, at 202-208-8000, ext. 1115.

Attachment

OFFICE OF GOVERNMENT ETHICS

JULY - DECEMBER 2003

PROGRAM PLAN OF AGENCY REVIEWS

PROGRAM REVIEW SCHEDULE
JULY - SEPTEMBER 2003

1. Surface Transportation Board
2. National Science Foundation
3. Small Business Administration
4. Environmental Protection Agency
5. National Transportation Safety Board
6. Department of Education
7. Kirtland Air Force Base
 - 377th Air Base Wing
 - Air Force Inspection Agency
 - Air Force Safety Center
 - Air Force Operational Test and Evaluation Center
8. Nuclear Regulatory Commission
9. Fort Huachuca
 - Garrison
 - U.S. Army Intelligence Center
 - NETCOM

**PROGRAM REVIEW SCHEDULE
OCTOBER - DECEMBER 2003**

1. Department of the Air Force
 - Office of the Secretary
 - Air Staff
2. Department of Energy
3. National Aeronautics and Space Administration
 - Including Ames Research Center
4. Office of Personnel Management
5. Federal Financial Institutions Examination Council
6. National Capital Planning Commission
7. Corporation for the Purchase from People Blind or Severely Disabled
8. Food and Drug Administration
9. Pension Benefit Guaranty Corporation