

◆ Financial Disclosure Division: Personnel in the Financial Disclosure Division track, collect, and review public annual and termination reports of all Presidential nominees and appointees and work closely with agency ethics officials to ensure that all reports are complete and that the filers are free of any conflicts of interest or the appearance of conflicts. This division also ensures compliance with agreements made by Presidential nominees during the confirmation process.

◆ Program Review Division: Analysts in the Program Review Division monitor agency compliance with executive branch ethics laws and regulations through ethics program reviews conducted according to an annual program plan. They identify and report strengths and weaknesses of agency ethics programs and work with agency personnel to resolve any problems identified during the review process.

EMPLOYEE STANDARDS

Executive branch employees are subject to statutes and regulations commonly referred to as “ethics” standards. The two basic sources of these standards are the criminal conflict of interest statutes and the administrative standards of ethical conduct.

Criminal Conflict of Interest Statutes

Chapter 11 of Title 18, United States Code

The conflict of interest statutes prohibit a Federal employee from engaging in certain types of activities that would place the

employee’s own personal interests above the Federal Government’s interests. A Federal employee

- ◆ is prohibited from acting in an official capacity on a matter in which the employee (or certain others) has a financial interest;
- ◆ may not represent the interests of private parties in matters in which the United States is a party or has an interest;
- ◆ is prohibited after leaving the Government from engaging in certain activities on behalf of other persons or entities;
- ◆ may not accept private compensation for performing official duties.

Note: For the complete text of these statutes, see Chapter 11 of Title 18, United State Code.

Administrative Standards of Ethical Conduct Regulation

5 Code of Federal Regulations Part 2635

The standards of conduct regulation establishes principles of ethical conduct for employees within the executive branch. The regulation not only identifies the principles but also provides easy to understand examples of how the principles apply. The standards of conduct cover such topics as:

- ◆ Gifts from outside sources
- ◆ Gifts between employees
- ◆ Conflicting financial interests
- ◆ Impartiality in performing official duties
- ◆ Seeking other employment
- ◆ Misuse of position
- ◆ Outside activities

For further information, please write or contact:

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UNITED STATES

OFFICE OF

GOVERNMENT

ETHICS



“...That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...” (Declaration of Independence)

Trust. From the earliest days of the Republic, we have held that our public officials should perform their duties in the public interest and for the public good. The ethics program in the executive branch helps support this trust and maintains public confidence in the integrity of the Federal Government by ensuring that Government officials perform their duties impartially and free of conflicts of interest.

ETHICS IN GOVERNMENT

The U.S. Office of Government Ethics (OGE) provides overall policy leadership for executive branch departments and agencies in the conduct of their ethics programs. Each department or agency head is responsible for the ethics program in that department or agency and is further required to appoint a Designated Agency Ethics Official, or DAEO, to manage the department or agency ethics program. By interpreting standards of conduct regulations, reviewing financial disclosure statements, and offering continuing ethics training and counseling services, DAEOs and their supporting ethics officials ensure that executive branch employees avoid situations that could violate ethics laws and undermine the public's trust in Government.

OGE HISTORY AND RESPONSIBILITIES

OGE was established by the Ethics in Government Act of 1978. Originally part of the Office of Personnel Management, OGE became a separate agency on October 1, 1989, through the enactment of the Office of Government Ethics Reauthorization Act of 1988. OGE carries out its leadership role through six major areas.

Regulatory Authority

OGE develops, reviews, and issues rules and regulations pertaining to conflict of interest statutes, post-employment restrictions, standards of conduct, and public and confidential financial disclosure systems in the executive branch.

Financial Disclosure

OGE reviews executive branch public financial disclosure reports of certain White House officials and Presidential appointees requiring Senate confirmation to determine if any entries on the forms may give rise to possible or actual violations of applicable laws or regulations and to recommend any appropriate corrective action. OGE oversees the creation and operation of blind trusts and issues certificates of divestiture for those who must sell assets to avoid conflicts.

Education and Training

OGE provides information on, and promotes understanding of, ethics laws and regulations primarily by developing training materials, offering instructional workshops, and assisting departments and agencies with their internal ethics education programs.

Guidance and Interpretation

OGE prepares formal advisory opinions, informal advice letters and policy memoranda. It also provides advice and counseling to agency ethics officials on how to interpret the conflict of interest and post-employment statutes as well as the standards of conduct and financial disclosure regulations.

Monitoring

OGE is responsible for reviewing executive branch ethics programs to assess whether these programs, including financial disclosure systems, training programs, and counseling service components are administered in accordance with the ethics laws and regulations. In addition, OGE refers possible violations of conflict of interest laws to the

Department of Justice and serves as an advisor on prosecutions and appeals. It also has the authority to order agency corrective action or, in unusual circumstances, recommend individual disciplinary action.

Evaluation

OGE evaluates the effectiveness of conflict of interest laws, other related statutes, standards of conduct, and Executive orders and recommends appropriate amendments when necessary.

OGE STRUCTURE

OGE is divided into five offices to provide comprehensive support within OGE as well as to all executive branch ethics programs.

Office of the Director

The Office of the Director provides overall direction to the executive branch ethics program and is responsible for ensuring that OGE fulfills its Congressional and Presidential mandates. The Office also has an outreach program designed to inform the public about OGE's statutory and regulatory responsibilities and to promote the integrity of public employees. This activity encompasses professional and trade associations, local and state governments, as well as governments of foreign countries.

Office of General Counsel and Legal Policy

The Office of General Counsel and Legal Policy is responsible for establishing and maintaining a uniform legal framework of Government ethics for executive branch employees, for developing executive branch ethics program policies, for interpreting laws and regulations, for assisting agencies in legal and policy implementation, and for reviewing legislation and recommending changes in conflicts of interest and ethics statutes.

Office of Information Resources Management

The Office of Information Resources Management is the promoter and provider of information technology within OGE. The Office provides internal support in the areas of office automation, telecommunications, information technology, graphics, and records management. It also produces *The Ethics CD-ROM*, and operates and maintains OGE's electronic bulletin board system (TEBBS) and Internet Web site.

Office of Administration

The Office of Administration provides essential support to all OGE operating programs in the areas of personnel, payroll, fiscal resource management, facilities and property management, travel management, procurement, publishing, distribution, and printing.

Office of Agency Programs

The Office of Agency Programs has three divisions that provide services to executive branch ethics programs: the Education and Program Services Division, the Financial Disclosure Division, and the Program Review Division. The three divisions coordinate their services to assist agencies in carrying out their programs. They work closely with agencies to improve their ethics programs, provide educational materials and training, stay abreast of budgetary concerns, and identify emerging issues to be addressed by OGE.

◆ Education and Program Services Division: Specialists in the Education and Program Services Division work with department and agency ethics personnel to enhance the day-to-day functions of an ethics program. Additionally, staff in this division also develop quality ethics education materials and training courses for use by all executive branch agencies.