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AMCCC

INFORMATION PAPER

26 July 2002

SUBJECT: Significant Ethics Issues 2002

PURPOSE: To provide information on expected ethics program changes

BACKGROUND:

- There are several programmatic changes underway in the ethics arena. The goal is to make the rules consistent with Federal government needs and practices and to improve program efficiency.
- No AMC activity is scheduled for an Office of Government Ethics (OGE) Program Review, i.e., audit, for calendar year 2002.
- There is a DA effort underway to develop an automated system that identifies financial report filers (SF 278 and OGE Form 450) and notifies them of their filing requirement.
  - The DOD Joint Ethics Regulation (JER) makes personnel offices responsible for identifying and keeping track of who must file a financial disclosure report and receive Annual Ethics Training.
  - Overall consensus of the ethics and personnel communities is that the current system is ineffective.
  - Target date for implementation is 2 August 2002 with a comprehensive process review scheduled for August 2003.
- OGE and the Department of Justice have initiated a comprehensive review of the ethics provisions in the criminal code and will propose a revised chapter of the United States Code.
  - The provisions to be reviewed include those on bribery, conflicts of interest, gifts and gratuities, representation by Federal employees, and post-employment conflicts of interest. Some of these provisions date back to the Civil War. Although they have been revised over the years, they still reflect the activities of a Federal government different from today's government.
  - Because these rules are set by statute we do not expect any changes for a few years.

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- OGE is reexamining its regulations on ethics training with the goal of making training more effective. Until OGE resolves this issue, it has reduced the number of Program Reviews.
- DOD General Counsel is rewriting the JER. The JER supplements OGE's ethics regulations and incorporates them. In many places, the JER repeats itself and the OGE regulations. Besides making some substantive changes the rewriters will attempt to eliminate the repetition. The rewrite is expected sometime in 2003.
- General Services Administration (GSA) adjusts the "minimal value" amount for gifts from foreign governments every three years. Federal officials may keep gifts from foreign governments up to this amount, currently \$260 United States retail value. GSA is scheduled to make an adjustment in 2002. These adjustments are normally retroactive to January 1.
- Congress and the Executive Branch are scrutinizing the travel and purchase card programs. Extensive abuse of both has been brought to light. Abusers are being disciplined and fixes are being sought to eliminate abuse and to attract credit card company interest in the programs.

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