

# Rules and Regulations

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## OFFICE OF GOVERNMENT ETHICS

### 5 CFR Part 2600

RIN 3209-AA21

#### Updating Amendments to Office of Government Ethics Organization and Functions Regulation

**AGENCY:** Office of Government Ethics (OGE).

**ACTION:** Final rule.

**SUMMARY:** The Office of Government Ethics is updating its organization and functions regulation. These amendments are necessary because of organizational changes that have occurred within OGE since the regulation was first published in 1990. In addition, OGE is making other minor changes to improve the regulation and to make information concerning OGE programs more readily available to the public and to other Federal agencies.

**EFFECTIVE DATE:** July 15, 2003.

#### FOR FURTHER INFORMATION CONTACT:

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**SUPPLEMENTARY INFORMATION:** In recent years, the Office of Government Ethics has made several changes to its organizational structure. These changes were made to improve OGE's internal agency operations, provide more emphasis on its education programs, increase emphasis on its annual and termination financial disclosure systems for Presidential appointees confirmed by the Senate, and to expand many of the other ethics program services that OGE provides to executive branch agencies.

Among these changes, OGE created a new Office of Agency Programs (OAP) to replace the former Office of Program

Assistance and Review. OAP was later reorganized to include three divisions: the Education Division, the Program Services Division, and the Program Review Division.

Since OGE's organization and functions regulation was published in 1990, as codified at 5 CFR part 2600, OGE has also established the Office of Government Relations and Special Projects (OGRSP). Over the past several years, OGE has received requests from U.S. foreign policy-making entities and has provided technical assistance through the OGRSP to foreign governments and multinational organizations concerning preventive programs (like OGE's) which are part of larger anticorruption efforts.

The Office of Administration and Information Management (OAIM) was added as a separate office within OGE due to the increased use of information technology within OGE and by other Federal agencies in fulfilling their respective missions. The OAIM assists OGE in its continuing efforts to provide improved customer service, to persons both within and outside the executive branch of the Federal Government.

Part 2600 is now being amended to reflect the addition of these offices and to provide a short description of the functions of each.

The statement of the functions of the Office of the Director in paragraph (b) of § 2600.103 has been modified to reflect additional responsibilities that have been acquired by the OGE Director since 1990 and to accommodate recent changes made to that office's organization. Pursuant to Executive Order 12805, the Director serves as a member of both the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE). These councils were established to coordinate and enhance Governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs. The Director also serves, pursuant to Executive Order 12993, as a member of the Integrity Committee. This committee receives, reviews and refers for investigation certain allegations of wrongdoing against Inspectors General and certain staff members of the Inspector General's Offices.

The Director's responsibilities also include leading many of OGE's outreach

activities with private and nongovernmental sector entities. These activities are designed to promote awareness of OGE and its mission as well as to share ideas and best practices. We have amended § 2600.103 to reflect these new responsibilities.

Finally, other changes being made in part 2600 include providing OGE's Internet Web site address, providing OGE's new main telephone numbers, and updating the information in the section describing OGE's history. Other minor changes were made to some section headings in this part and to the regulation's language in a few places.

## Matters of Regulatory Procedure

### *Administrative Procedure Act*

Pursuant to 5 U.S.C. 553(b) and (d), as Director of the Office of Government Ethics, I find good cause exists for waiving the general notice of proposed rulemaking, opportunity for public comment, and 30-day delay in effectiveness as to this regulatory revision. The notice, comment and delayed effective date are being waived because this regulation concerns matters of agency organization, practice and procedure.

### *Executive Order 12866*

In promulgating these amendments, OGE has adhered to the regulatory philosophy and the applicable principles of regulation set forth in section 1 of Executive Order 12866, Regulatory Planning and Review. These amendments have not been reviewed by the Office of Management and Budget under that Executive order, since they are not deemed "significant" thereunder.

### *Executive Order 12988*

As Director of the Office of Government Ethics, I have reviewed this final amendatory regulation in light of section 3 of Executive Order 12988, Civil Justice Reform, and certify that it meets the applicable standards provided therein.

### *Regulatory Flexibility Act*

As Director of the Office of Government Ethics, I certify under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that this rulemaking will not have a significant economic impact on a substantial number of small entities.