

Office of Government Ethics

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Letter to an Agency General Counsel dated August 31, 1989

This is in response to your letter of August 24, 1989, asking this Office to clarify whether an agency must designate a person to administer the provisions of Title II of the Ethics in Government Act of 1978 when the agency does not have any officials or employees to whom Title II applies.

In accordance with 5 CFR § 738.202 the head of each agency is required to appoint a designated agency ethics official as well as an alternate designated agency ethics official. The duties of the designated agency ethics official include administering Title II as well as acting as liaison with this Office, initiating and maintaining ethics education and training programs, and monitoring administrative actions and sanctions. Therefore, your agency is required to appoint a designated agency ethics official as well as an alternate without regard to whether any agency employees are required to file public disclosure reports under Title II.

Sincerely,

Frank Q. Nebeker
Director