

ETHICS PROGRAM REVIEW FOLLOW-UP REPORT

Agency: Corporation for National and Community Service (CNCS)

Follow-up to OGE Report Number: 22-25I

Report No.: 25-05IF

Date: October 24, 2024

UNITED STATES OFFICE OF
GOVERNMENT ETHICSPreventing Conflicts of Interest
in the Executive Branch

As a result of its inspection of the Corporation for National and Community Service (CNCS) ethics program, the Office of Government Ethics (OGE) issued three recommendations in its April 2022 inspection report. OGE conducted a follow-up review in 2022 and obtained updated information in 2024 to assess whether CNCS had taken sufficient action to resolve the deficiencies underlying the three recommendations. The results of our follow-up review are summarized below.

	Recommendations	Agency Action and OGE Finding	Status
1	CNCS' human resources office (OHC) must ensure that the DAEO is promptly notified of all appointments to positions whose incumbents are required to file public financial disclosure reports no later than 15 days after the appointment.	<p>During the follow-up review, OGE examined two OHC quarterly reports of appointments and promotions covering the periods April 1 through June 30 and July 1 through September 30, 2022. In total, OHC notified the DAEO of 161 new appointments and promotions during these timeframes.</p> <p>Quarterly Report: July through September OHC reported 76 new appointments and promotions during this timeframe. OGE confirmed with ethics officials that only one individual from the quarterly report was required to file a public report. OGE examined the one report and found the report had been filed, reviewed, and certified timely.</p> <p>Quarterly Report – April through June OHC reported 85 new appointments and promotions during this timeframe. OGE confirmed with ethics officials that three individuals from the quarterly report were required to file a public report. OGE examined all three public reports and found two of the three were filed timely.</p>	Closed

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		<p>Ethics officials should have been notified in a timely manner about the third individual's permanent promotion to the public filing position as per the report. However, this did not occur. Subsequently, ethics officials informed the individual about the relevant requirements, and the individual submitted their report. All three public reports were reviewed and certified in a timely manner.</p> <p>OGE is closing this recommendation; however, CNCS is reminded of its responsibility to ensure the timely filing of public reports. Failure to do so could raise questions about the integrity of the agency's ethics program and put the agency and filer at risk of conflicts of interest. During its next inspection, OGE will revisit this aspect of CNCS's ethics program.</p>	
2	CNCS' human resources office must ensure that the DAEO is promptly notified of all appointments to positions whose incumbents are required to file confidential financial disclosure reports no later than 15 days after the date of appointment.	<p>OGE selected six names from the July through September quarterly report and five from the April through June quarterly report to confirm with ethics officials whether these individuals were required to file confidential reports. Ethics officials confirmed that all 11 individuals, in total, from the two respective reports OGE selected were required to file confidential reports.</p> <p>OGE examined all 11 confidential reports and found that in all cases, the DAEO had been notified of the filer's appointment timely and that all 11 reports had been filed timely.</p>	Closed

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3	<p>CNCS' human resources office must ensure that new supervisors receive the notice required by 5 C.F.R. § 2638.306 and that the DAEO is promptly notified of these notices when they are sent out.</p>	<p>OGE examined the two OHC quarterly reports of appointments and promotions covering the periods April 1 through June 30 and July 1 through September 30, 2022. OHC notified the DAEO of 161 new appointments and promotions during these timeframes.</p> <p>Quarterly Report: July through September 2022</p> <p>OGE reviewed nine promotion actions from this report to see if they involved promotions to supervisory positions. Ethics officials confirmed that six of the nine promotions in question involved individuals being appointed to new supervisory positions and that the required notices were sent to six of the nine individuals. The other three promotions were internal promotions to supervisory positions, and ethics officials were not promptly notified of these promotions.</p> <p>Quarterly Report: April through June</p> <p>OGE identified five promotion actions in this report to determine if they were promotions to supervisory positions. Ethics officials confirmed that two of the five individuals were already supervisors moving to another supervisory position. The remaining three were individuals promoted to non-supervisory positions.</p> <p>Ethics officials also notified OGE of an additional initial promotion to a temporary supervisory position. OGE was advised that the OHC staffing specialist who processed the promotion mistakenly believed that employees receiving their initial promotion to a supervisory position on a temporary basis were not required to receive the notice for new supervisors.</p>	Closed
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At the time of OGE's follow-up inspection, OHC was trying to determine whether this employee ultimately received a notice. CNCS' ethics officials indicated that they have advised OHC to update their guidance to ensure that all initial promotions to supervisory positions include the required notice to new supervisors.

OGE was advised that OHC has recognized the necessity of updating its procedures and would proceed accordingly. Ethics officials also indicated that they would immediately provide the standard new supervisor notice to the individual who received a temporary initial appointment to a supervisory position to meet the requirement that the notice be provided within one year of the appointment.

Updated Information Obtained in 2024

Ethics officials confirmed that the required notice to agency supervisors (both permanent and temporary) has been incorporated into each new hire notification letter sent by the OHC to every supervisor. The DAEO is promptly informed when the letter is issued or emailed. New hire letters are issued by email and the agency ethics program email box (ethics @americorps.com) is copied on the emails. The DAEO has access to and regularly checks this email box.

OGE was advised that during Quarters 1 and 2 of FY 2024 (October 1, 2023 – March 31, 2024), CNCS hired 15 new supervisors. Each new supervisor received the required notice.

Based on the results of OGE's follow-up review, all recommendations are closed.