



United States
Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

April 11, 2002

The Honorable Albert R. Wynn
House of Representatives
434 Cannon House Office Building
Washington, DC 20515-2004

Dear Mr. Wynn:

In your March 29, 2002 letter to me, you requested that the U.S. Office of Government Ethics (OGE) conduct an audit and investigation of certain contracting and personnel operations at the Library of Congress (LOC). It had been brought to your attention that there were issues related to the segregation of staff and an illegal reorganization in one unit, the delegation of contracting authority to unqualified staff, contracting out of jobs in violation of an LOC class-action settlement agreement, and violations of merit promotion rules.

Your staff subsequently identified additional problems, including evidence that LOC's internal auditing system failed to properly investigate irregularities and that an LOC Office of Inspector General (OIG) investigation was flawed. Moreover, you indicated that the LOC General Counsel Office, under the Chief Counsel (who is also LOC's Ethics Official), failed to identify a conflict of interest related to a contract and was an opponent of LOC's efforts to comply with procurement rules in establishing a Supplier Diversity Program.

Unfortunately, the audit and investigation of these matters are outside of OGE's jurisdiction. OGE, as a separate agency within the executive branch, provides overall direction of policies related to preventing conflicts of interest on the part of officers and employees of any executive branch agency. 5 U.S.C. appendix (Ethics in Government Act of 1978), § 402(a). OGE has no jurisdiction over the legislative branch.

Because these matters are at issue in another branch of the Government, I am reluctant to advise you on who would have jurisdiction over them. However, your own House Committee on Standards of Official Conduct (Ethics) might be a useful source of guidance in this regard.

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If you would like to discuss these matters with me, I can be reached at 202-208-8022. Also, I have enclosed the information bound in the looseleaf notebook that was an enclosure to your letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy L. Comstock". The signature is written in dark ink and is positioned above the printed name and title.

Amy L. Comstock
Director

Enclosure