

File: DDA

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file on this)*

ODP-1468-77
28 JUL 1977

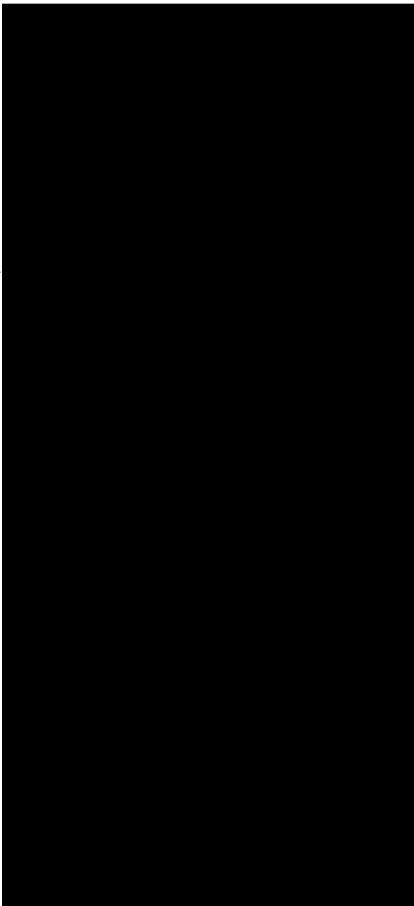
MEMORANDUM FOR: Executive Officer
Deputy Director for Administration

FROM : Executive Officer
Office of Data Processing

SUBJECT : Conflict of Interest Statements

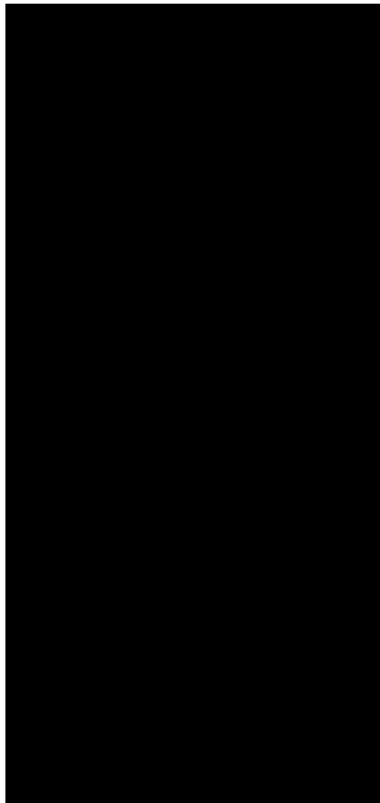
STATINTL

1. The following persons in ODP have completed Form 2630.
There are no conflicts of interest.



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2. Attached are Employment and Financial Interest Statements from 

STATINTL



Att: a/s

DISTRIBUTION:

- Orig & 1 - Addressee
- 2 - O/D/ODP - w/att
- 1 - ODP ADMIN w/o/att
- 1 - ODP Registry w/o/att
- 1 - ODP Registry - w/o/att

STATINTL

ODP ADMIN,  jal/26July1977

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For Release 2000/09/03 : CIA-RDP84-00933R000400040020-4

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DD/A-3951
11 July 1977

DA

STATINTL

MEMORANDUM FOR : Each DDA Office Director
FROM : 
Executive Officer/DDA
SUBJECT : Conflict of Interest - Employment
and Financial Interest Statement
REFERENCE : 

STATINTL

1. By COB, 29 July, it will be necessary to have completed Form 2630 Employee Confidential Statement of Employment and Financial Interests.

2. As in the past Office Directors' and Deputy Office Directors' statements must be submitted to the DDA. Others completed within the office must be held on file in the office concerned. Reference provides appropriate guidelines for those who must complete Form 2630.

3. By COB, 29 July, each office will submit to the DDA a list of all individuals who have completed Form 2630. It is requested that instead of submitting a memorandum in lieu of Form 2630 if there has been no change in the information provided on the form that the actual form be completed with the indication that there are no changes.



STATINTL

Attachments:

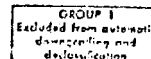
c. **REPORTING EMPLOYMENT AND FINANCIAL INTERESTS.** This subparagraph provides policy and procedures for reporting employment and financial information to permit the Agency to determine the existence of a conflict of interest or an apparent conflict of interest. It implements Executive Order 11222, dated May 8, 1965, and Civil Service Commission regulations as revised June 9, 1967.

(1) **GENERAL**

- (a) Information supplied in accordance with this subparagraph will be reviewed only by the officials designated herein, who are responsible for ensuring it is not discussed with or made available to others.
 - (b) Notwithstanding the filing of the annual report required by this subparagraph, each employee will at all times avoid acquiring a financial interest that results, or taking an action that could result, in a violation of the conflicts-of-interest provisions of Section 208, Title 18, United States Code. These provisions state generally that no Government employee may participate personally or substantially, as a Government employee, in a matter which affects his financial interest, that of his family, or that of an organization in which he is an officer, director, or employee.
- (2) **PERSONNEL REQUIRED TO FILE.** Agency personnel will file employment and financial interest statements if they are in any of the categories specified in subparagraph (a), (b), or (c) immediately below:
- (a) Personnel paid at a level of the Federal Executive Salary Schedule
 - (b) Personnel classified at GS-13 or above, or at a comparable pay level, in positions determined by the appropriate Deputy Director, Operating Official, or Head of Independent Office to be positions whose incumbents are responsible for making a Government decision or taking a Government action regarding
 - (1) contracting or procurement;
 - (2) administering or monitoring grants or subsidies;
 - (3) regulating or auditing private or other non-Federal enterprise; or
 - (4) other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise
 - (c) Personnel classified at GS-13 or above, or at a comparable level, in positions which the appropriate Deputy Director, Operating Official, or Head of Independent Office has determined to have duties and responsibilities which require the incumbent to report employment and financial interests in order to avoid involvement in a possible conflict of interest
 - (d) Personnel in positions designated under subparagraph (b) above may be excluded from the reporting requirement if the designating official also determines that
 - (1) the duties of the position are such that the likelihood of the incumbent's involvement in a conflict of interest is remote; or
 - (2) the duties of the position are at such a level of responsibility that the submission of a statement of employment and financial interests is not necessary because of the degree of supervision and review over the incumbent or the inconsequential effect of any conflict of interest on the integrity of the Government.

Revised: 9 July 1970 (555)

CONFIDENTIAL



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- (e) The requirement to file an employment and financial interest statement applies whether or not the individual is to file such a statement with a cover organization. Personnel who hereafter become subject to the requirements to file a statement of employment and financial interests, either at the time of entry on duty or upon being promoted to or assigned new duties, will be so notified by the Operating Official or Head of Independent Office and will file their statements within 30 days after such notification.
- (3) **GRIEVANCE PROCEDURE.** Any employee who believes that his position has been improperly designated as one requiring the submission of a statement of employment and financial interests may request the Inspector General to review such inclusion.
- (4) **PROCEDURES AND RESPONSIBILITIES**
- (a) Personnel required to file statements are to use Form 2630, Employee Confidential Statement of Employment and Financial Interests. An employee is not required to include any information about his connection with or interest in a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization not conducted as a business enterprise. For this purpose, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are considered business enterprises.
- (b) Statements, including supplementary statements, will be marked "Employee Financial Statement, Eyes Only" and forwarded to the appropriate Operating Official or Head of Independent Office. Statements of Operating Officials and their deputies will be forwarded to the Deputy Director concerned.
- (c) The Deputy Director, Operating Official, or Head of Independent Office will examine each statement and will comment whether in his opinion the duties of the employee involve the organizations, persons, or real property in which the employee has a financial interest or an employment relationship. If the comment is affirmative, the statement and the comment will be forwarded to the General Counsel. If the comment is negative, the statement will be held in an "Eyes Only" file in the immediate office of the Deputy Director, Operating Official, or Head of Independent Office.
- (d) The General Counsel will review statements forwarded to him with affirmative comments and determine whether a conflict or apparent conflict of interest exists, consulting with the person submitting the statement and the Deputy Director, Operating Official, or Head of Independent Office, as appropriate. If he determines a conflict or appearance of conflict does exist, he will advise the appropriate official and return the statement to him for retention.
- (e) Upon being advised by the General Counsel of a conflict or apparent conflict, the official who initially examined the statement will, in consultation with the General Counsel and, if appropriate, the employee, take action to resolve the conflict, as follows:
- (1) Reassign the employee or assign his significant duties to another employee
 - (2) Advise the employee to dispose of the financial interest, discontinue the employment relationship, or discharge the indebtedness which is the cause of the conflict
 - (3) Take other action as may be appropriate

Comptroller, establish the period for which statements must be retained and will so advise Deputy Directors, Operating Officials, and Heads of Independent Offices.

- (g) Changes in or additions to the information in the statement of employment and financial interest will be reported in a supplementary statement as of 30 June each year. If no changes or additions have occurred, a negative report is required.
- (5) GENERAL COUNSEL ASSISTANCE. The General Counsel will be available to advise and assist employees in the submission and review of statements of employment and financial interest.

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d. ACCEPTANCE OF GIFTS, AWARDS AND DECORATIONS

- (1) Government employees are forbidden by law to give presents to official superiors or accept them from employees receiving lower salaries than themselves.
- (2) No Agency employee may solicit or accept, directly or indirectly, from any person, corporation, or group, domestic or foreign, anything of economic value such as gift, gratuity, or favor, if it might reasonably be interpreted by others as being of such a nature that it could affect his impartiality as an Agency employee, or if the employee has reasons to believe that the giver
- has or is seeking to obtain contractual or other business relationships with the Agency;
 - has interests which may be substantially affected by the employee's performance or nonperformance of his official duty; or
 - is in any way attempting to influence the employee's official actions.
- (3) It is recognized that in certain relationships arising out of the special functions of this Agency, particularly the relationship of case officer and agent, it may be necessary for operational reason for an employee to participate in an exchange of gifts. There is no intent to interfere with such exchanges where operationally necessary. When a Government employee receives a gift from someone having a contractual relationship with the Government, there is a presumption of an intent to influence the employee's official decisions or actions. The circumstances of the case officer-agent relationship may serve to rebut this presumption. Some factors that may be considered in rebuttal are local custom, the operational relationship, and the value of the gift. Employees are to do nothing to encourage the presentation of gifts to themselves and will accept gifts only when in their best judgment refusal would interfere with the relationship between the employee and the agent to such a degree as to result in harm to operations.
- (4) No Agency employee may request or otherwise encourage the presentation of a decoration or gift from a foreign government; however, decorations or other items of honorary value which are received may be retained by the recipient, subject to approval by the Director of Personnel and concurrence of the Secretary of State.
- (5) A gift other than a decoration having a retail value not exceeding \$50 in the United States may be accepted and retained; but a gift exceeding \$50 in value is deemed to have been accepted on behalf of the United States and will be deposited by the donee for use and disposal as the property of the United States.