

DD/S&T# 4455-81

OGC 81-09342  
30 October 1981

MEMORANDUM FOR: Deputy Director for Administration  
Deputy Director for Science and Technology  
Deputy Director for Operations  
Director, Intelligence Community Staff  
Director, National Foreign Assessment Center  
Director, Equal Employment Opportunity  
Director, Office of Policy and Planning  
Director of Personnel  
Director, National Intelligence Council  
Inspector General  
Comptroller  
Executive Secretariat

FROM:

[Redacted]

Deputy General Counsel

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SUBJECT:

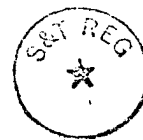
Conflict of Interest - Employment and Financial Interest Statements

1. This is to remind you that you should request certain employees in your components to file their annual statements of employment and financial interests, as discussed below. As you know, each year certain employees at pay levels of GS-13 or higher are required by Executive Order 11222 and [Redacted] to file financial interest statements (Form 2630) that reflect their financial interests as of 30 June. The purpose of the requirement is to enable the Agency to determine the existence of a conflict, or apparent conflict, of interests, and thus to permit appropriate action to remove the conflict.

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2. Subsequent to the enactment of the Ethics in Government Act of 1978, which requires financial reporting by GS-16s and above, the Director designated the Deputy General Counsel to be responsible for CIA's implementation of the financial reporting requirements both of the new Act and the Executive order, and the Financial Disclosure Review Panel has been formed to assist in reviewing these financial reports. The following procedures for submission shall continue to apply, much as they have in the past.

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3. Agency personnel required to file such statements (Form 2630) are as follows:

a. Employees, paid at GS-13, GS-14, GS-15, or at a comparable pay level, in positions determined by the appropriate Deputy Director, operating official, or head of independent office to be responsible for making a Government decision or taking a Government action regarding (1) contracting or procurement, (2) administering or monitoring financial transactions, (3) regulating or auditing private or other non-Federal enterprise, or (4) other activities where the decision or action may have an economic impact on the interests of any non-Federal enterprise; or

b. Employees, paid at GS-13, GS-14, GS-15, or at a comparable level, in any other positions which the appropriate Deputy Director, operating official, or head of independent office otherwise has determined to have duties and responsibilities that require the incumbent to report employment and financial interest in order to avoid involvement in a possible conflict of interest.

Employees at GS-16 or above are required to complete financial disclosure reports under the Ethics Act and need not file a Form 2630. Also, employees covered by subparagraph a above may be excluded from the reporting requirement by an appropriate determination that the employee falls within paragraph (d) of [redacted] [redacted]. Under that provision employees are excluded from the reporting requirement if the designating official determines that the duties of the employee are such that the likelihood of a conflict is remote, the degree of supervision is such that a statement need not be filed, or that any conflict would have only an inconsequential effect "on the integrity of the Government."

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4. I suggest that your instructions require submission of all statements to you by 30 November and that you complete your review no later than 31 December. Procedures for submission are prescribed by paragraph (4) of [redacted]. Upon review and approval each statement should be marked to show the date of such action and the initials or name of the approving official. This review constitutes a certification by the reviewing official that the financial statement discloses no real or apparent conflict of interest. Those statements that do indicate a conflict or raise a question of conflict should be discussed with this Office or the Financial Disclosure Review Panel member representing your component.

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5. The review is designed to determine whether the duties of the employee involve organizations, persons, or real property in which the employee has a financial interest or an employment relationship. As the instructions accompanying Form 2630 indicate, the relevant financial interests are those of the employee, his spouse, his minor children, and members of his family who reside with him.

6. It is the responsibility of this Office to ensure that the steps outlined above have been taken and that the Agency is in compliance with applicable law and regulations. Therefore, I ask that each of you or a designee submit to me by 8 January a report which contains the names of those employees required to file statements, the number of statements received and approved, and those awaiting final resolution. In the latter case, you should briefly summarize the problem and how you are handling it. Supplementary reports should be made every 30 days until you have received and reviewed financial statements from all employees required to submit them.

7. Members of this Office will be available to advise and assist in the review of statements of employment and financial interest, but you should feel free to consult also with the Financial Disclosure Review Panel member designated for your component. A current list of panel members is attached. If you have any additional questions or comments, please feel free to call me or

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Attachment.

cc: General Counsel

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