

§ 1100.23

to institutions or other non-Federal enterprise.

(3) *Other.* Those in activities in which the final decision or action has a significant impact on the interest of any non-Federal enterprise.

(d) Those at any grade level whose activities have a significant economic impact on the interest of any non-Federal enterprise.

§ 1100.23 Review of position descriptions.

(a) Because of the nature of the Section's mission, establishment of a standing list of employees subject to the provisions of this subpart is considered impractical inasmuch as assignments are subject to frequent change, organizational elements change with the changing work needs, supervisors or heads of organizations are subject to change with changing conditions. It is therefore necessary that all position descriptions in §1100.22 (b) through (d) will be reviewed and a statement as to whether the incumbent of the position must file a statement of employment and financial interests, as required by this order, will be included in each position description. This determination will be reviewed at least annually, at the time of performance ratings, or incident to other prescribed annual reviews.

(b) Incumbents of positions identified as involving any of the functions described in §1100.22 (b) through (d) will be required to comply with the filing requirements of this order. Any employee who believes that his position has been improperly included in the functions described in §1100.22 (b) through (d), may request a review of the decision requiring him to file a statement through the established grievance procedures.

(c) Positions in the above categories may be excluded when it is determined by the Commissioner that the duties are at such a level or responsibility that the submission of a statement is not necessary because of the degree of supervision and review of the incumbent and the remote and inconsequential effect on the integrity of the Section.

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§ 1100.24 Manner of submission—statements of employment and financial interests.

(a) Section personnel included in §1100.22 (b) through (d) will submit statements of employment and financial interests in the format prescribed by the Personnel Director.

(b) Each employee required by this Order to file a statement will do so within 30 days following entry on duty of assignment to the position and periodically thereafter as prescribed in §1100.28.

(c) Statement will be submitted to the Personnel Director in a double sealed envelope marked "For Attention of the Personnel Director Only".

§ 1100.25 Excusable delay.

If, by reason of his duty assignment, it is impracticable for an employee to submit a statement within the period required by the Order, his immediate supervisor may grant a 15-day extension of time therefor, and the supervisor will notify the Personnel Director, in writing, of the extension. Any extension in excess of 30 days requires the concurrence of the Commissioner. Statements submitted pursuant to an extension of time granted will include appropriate notation to that effect.

§ 1100.26 Special government employees.

Each special Government employee who is an adviser or consultant shall, prior to appointment, file with the Personnel Director, a statement setting forth his Government employment, his private employment, and his financial interests. An appointee must list all of his investments and other financial interests such as pensions; retirement; group life, health, or accident insurance; and profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer. He is not required to list precise amounts of investments.

§ 1100.27 Exceptions to specific appointees.

The Commissioner may grant an exception to a specific appointee from completing that part of the statement of employment and financial interests

relating to his investments or other financial interests referred to in §1100.26, upon making of a determination that this information is not relevant in light of the duties the appointee is to perform.

§ 1100.28 Supplementary statement.

Changes in or additions to the information contained in an employee's statement of employment and financial interests shall be reported as of June 30 of each year. Even though no changes or additions occur, a negative report is required. The supplementary statement, negative or otherwise, will be submitted by July 31 of each year. Notwithstanding the filing of the annual report, Section personnel shall at all times avoid acquiring a financial interest that could result, or taking action that would result, in a violation of the conflict-of-interest provisions of 18 U.S.C. 208 or this order.

§ 1100.29 Interests of employee's relatives.

The interests of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this order, 'member of an employee's immediate household' means those blood relatives who are residents of the employee's household.

§ 1100.30 Information not required to be submitted.

An employee is not required to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interests in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic or political organization or a similar organization not conducted as a business enterprise. For the purpose of this order, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed 'business enterprises' and are required to be included in an employee's statement of employment and financial interests.

§ 1100.31 Information not known to employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but known to another person, the employee shall request that other person to submit the information on his behalf.

§ 1100.32 Confidentiality of employee's statements.

Each statement of employment and financial interests, and each supplementary statement, will be held in confidence. The Section may not disclose information from a statement except as the Commissioner or the Civil Service Commission may determine for good cause. Persons designated to review the statements are responsible for maintaining the statements in confidence and shall not allow access to, or allow information to be disclosed from the statement except to carry out the purpose of this order, or Federal laws or regulations.

§ 1100.33 Effect of employee's statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

PART 1101—PRIVACY ACT OF 1974

Sec.

- 1101.1 Purpose and scope.
- 1101.2 Definitions.
- 1101.3 General policy: Collection and use of personal information.
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