

MEMORANDUM

May 15, 1996

To: David G. Marwell
Executive Director

From: T. Jeremy Gunn
General Counsel

Subject: Regulations Governing Designated Agency Ethics Officials

Under the controlling Federal regulations set forth at, 5 C.F.R. 2638 et seq., the “head” of an agency is responsible for agency compliance with ethics laws pending his or her appointment of a Designated Agency Ethics Official (DAEO). 5 C.F.R. 2638.202(a).¹ Because Dennis Quinn is no longer at the Assassination Records Review Board, you are now the *de facto* and the *de jure* official responsible for ARRB compliance with ethics laws pending your appointment of a new DAEO.

Under the regulations, you are empowered to designate others on the Review Board staff to be responsible for agency compliance. The regulations presume that you will:

First, select a DAEO;

Second, select an Alternate Agency Ethics Official;

Third, record your designations in writing and formally delegate agency ethics functions to those individuals; and

Fourth, notify the Office of Government Ethics, in writing, of your selections within 30 days of the date that the ethics officials are designated.

The law also provides that a DAEO may in turn designate a Deputy Ethics Official to handle routine ethics matters.

¹For the purpose of this memorandum, I am assuming that you, as Executive Director, are the “head” of the Assassination Records Review Board for the purposes of Agency compliance.