UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

OFFICE OF THE
GENERAL COUNSEL
6-6

July 16, 1990

Mr. Brent Hatch
Associate Counsel to the President
Old Executive Office Building, Room 106
Washington, D.C. 20500

Dear Mr. Hatch:

This is in response to your request concerning the status of the draft SF 278 Financial Disclosure Report submitted by Mr. Richard Y. Roberts, a candidate for Member of the Securities and Exchange Commission. As I advised you by telephone on July 13, 1990, although there are some details to be worked out, based upon my discussions with Mr. Roberts and the draft documents he has submitted, I do not foresee any obstacles to certification that he is in compliance with the Commission's Conduct Regulation and Canons of Ethics for Members, and other applicable laws and regulations.

The following items on Mr. Roberts' SF 278 have been discussed with Mr. Roberts and with the Office of Government Ethics. The most significant item relates to Part II of Schedule D, "Compensation In Excess of $5000 Paid by One Source". Mr. Roberts signed his SF 278 on April 25, 1990, and at that time had only recently joined the law firm of Miller, Hamilton, Snider, Odom & Bridgeman. Accordingly, he advised that he had marked "None" because he had not yet billed $5000 to any one client. It is my understanding that since that date, he has billed $5000 or more to one or more clients. Accordingly, consistent with advice from the Office of Government Ethics, I advised Mr. Roberts that he could either add these names to the SF 278 and execute a new first page with a current date, or the names could be disclosed in the letter updating his SF 278 which he would be required to submit no earlier than five days prior to the commencement of the Senate hearing.1/ As you had suggested, it would appear to be preferable in these circumstances to add these client names to the SF 278 and execute a new first page with a current date.

Mr. Roberts has also advised that as of June 1990, he has become a director of the Pilot Group, a financial institution consulting firm. This association should be disclosed on Part I of Schedule D. Also, if Mr. Roberts has received more than $5000 from the Pilot Group, that entity should be added to Part II of Schedule D.

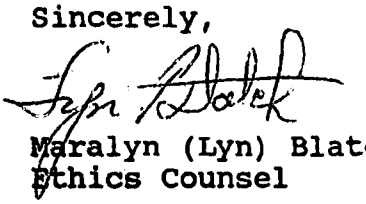
1/ 5 C.F.R. 2634.604(d), formerly 5 C.F.R. 734.604(d)(1988).

The remaining items are very minor. For example, the holdings in his Merrill Lynch IRA account (item 2 on page 2) should be specifically identified and the appropriate income column marked. I also recommended that, with respect to item 1 on page 2, "Office Equipment", a notation such as "held for resale" be added so that the nature of the item can be readily understood. The income column "None" should be marked for this item also. With respect to item 4, I recommended that the word "salary" be added so that it is clear this refers to the salary paid to his spouse.

I have provided Mr. Roberts with a copy of the Commission's Conduct Regulation (17 C.F.R. 200.735-1 et seq.); Executive Order 12674 (April 12, 1989); 18 U.S.C. 208, as amended; the Canons of Ethics for Members of the Securities and Exchange Commission (17 C.F.R. 200.50 et seq.); a memorandum explaining restrictions on securities transactions applicable to Members and employees of the Commission; and sample nomination documents. Mr. Roberts has provided a draft memorandum concerning resolution of conflict of interest issues and his draft statement to the Senate Committee on Banking, Housing, and Urban Affairs. Accordingly, I would expect that the final version of the necessary documents can be submitted to the Office of Government Ethics and the Senate Banking Committee pursuant to the usual procedure without delay.

If I can be of any further assistance, please do not hesitate to call me at 272-2437.

Sincerely,



Maralyn (Lyn) Blatch
Ethics Counsel

cc: Office of Government Ethics
Attention: Karen Bovard

James R. Doty, General Counsel
Securities and Exchange Commission

Paul Gonson, Solicitor
Securities and Exchange Commission