

Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case	Agency Case or Referral Number	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input type="checkbox"/> U.S. Attorney for (district) _____ <input type="checkbox"/> DOJ, other _____
Date of Referral to DOJ	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed.	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? YES NO UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

18 U.S.C. § 203 (Compensation for Representation Affecting the Government)
 Federal entity before which representation occurred: _____
 Compensated representation on behalf of: _____
 Were representational services rendered or to be rendered: by the employee or by another?

18 U.S.C. § 205 (Representation Affecting the Government)
 Federal entity before which representation occurred: _____
 Representation on behalf of: _____

18 U.S.C. § 207 (Post-Employment)
 Federal entity before which representation occurred: _____
 Representation on behalf of: _____
 Was the communication/representation: oral? and/or written?
 Former employee termination service before January 1, 1991. Check subsections involved:
 207(a) 207(b)(i) 207(b)(ii) 207(c)
 Former employee termination service on or after January 1, 1991. Check subsections involved:
 207(a)(1) 207(a)(2) 207(b) 207(c) 207(d) 207(f)
 If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? Yes No

18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)
 Does the case involve the financial interest: of the employee? of the employee's spouse?
 Minor child? A firm with which the employee was negotiating for employment?
 Other? (specify) _____
 Was a waiver sought? Yes No Was it granted? Yes No
 Was the employee required to file a financial disclosure form? Yes No If yes, check form involved:
 SF 278 OGE Form 450 Other (specify) _____
 If so, was the basis for the interest disclosed on the financial disclosure form? Yes No

18 U.S.C. § 209 (Supplementation of Salary)
 Type of supplementation (meals, travel, cash, etc.): _____
 Value of supplementation: \$ _____ Number of supplements: _____

Additional Statutes Involved in Conflict of Interest Referrals
 Was 18 U.S.C. § 201 (bribery/gratuity) involved? Yes No
 Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? Yes No
 Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? Yes No
 Was 18 U.S.C. § 1001 (false statements) involved? Yes No
 Was 5 U.S.C. App. (Ethics in Government Act) § 101 et.seq. (Financial disclosure) involved? Yes No
 Other (list) _____

Agency Contact/Telephone Number	Date

Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

PART III ADDITIONAL AGENCY COMMENTS (if any):

PART IV DISPOSITION OF REFERRAL (OGE use only):

DOJ declined prosecution.

DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:
