



### 18 U.S.C. § 207: Applicability Chart

Employees	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>All Executive Branch Employees</b>	X	X	X			
<b>Senior Employees</b> <ul style="list-style-type: none"> <li>• Positions with pay fixed according to the Executive Schedule</li> <li>• Basic pay<sup>1</sup> at or above 86.5% of the rate of basic pay for level II of the Executive Schedule = <b>\$156,997.50</b> for CY 2014</li> <li>• 0-7 or above uniformed services grade</li> <li>• Appointed by the President under 3 U.S.C. § 105(a)(2)(B)</li> <li>• Appointed by the Vice President to a position under 3 U.S.C. § 106(a)(1)(B)</li> </ul>	X	X	X	X		X
<b>Very Senior Employees</b> <ul style="list-style-type: none"> <li>• Vice President</li> <li>• Paid at the rate of basic pay for level I of the Executive Schedule = <b>\$201,700</b> for CY 2014</li> <li>• Employed in a position in the EOP at a rate of pay for level II of the Executive Schedule = \$181,500 for CY 2012</li> <li>• Appointed by the President under 3 U.S.C. § 105(a)(2)(A)</li> <li>• Appointed by the Vice President to a position under 3 U.S.C. § 106(a)(1)(A)</li> </ul>	X	X	X		X	X

<sup>1</sup> Basic pay is actual pay, minus certain “additional pay” such as locality, bonuses, awards, and certain other allowances.

Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<p><b>Official Government Duties (j)(1)</b></p> <p>A former employee is not restricted by any of the substantive provisions of § 207 from engaging in post-employment activities performed in carrying out official duties on behalf of the U.S. This exception also extends to activities undertaken in carrying out official duties as an elected official of a state or local Government.</p>	X	X	X	X	X	X
<p><b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b></p> <p>A former senior or very senior employee will not violate § 207(c) or (d) if his communication or appearance is made in carrying out official duties as an employee of and is made on behalf of (1) an agency or instrumentality of a State or local Government, (2) an accredited degree-granting institution of higher education as defined in § 101 of the Higher Education Act of 1965, as amended (20 U.S.C. § 1001), or (3) a hospital or medical research organization exempted and defined under § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)).</p>				X	X	
<p><b>International Organizations (j)(3)</b></p> <p>A former employee is not restricted by any of the substantive provisions of § 207 from representing, aiding, or advising an international organization in which the U.S. participates, if the Secretary of State certifies in advance that such activity is in the interest of the U.S.</p>	X	X	X	X	X	X
<p><b>Special Knowledge (j)(4)</b></p> <p>A former senior or very senior employee will not violate § 207(c) or (d) if he makes a statement that is based on his own special knowledge in the particular area that is the subject of the statement, provided that he receives no compensation for making the statement.</p>				X	X	

Exceptions / Waivers (Cont'd)	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<p><b>Scientific or Technological Information (j)(5)</b></p> <p>A former employee will not violate §§ 207(a)(1), (a)(2), (c), or (d), if he makes a communication solely for the purpose of furnishing scientific or technological information in accordance with procedures acceptable to the agency involved. Alternatively, a former employee may make a communication upon publication of a certification in the <i>Federal Register</i> by the head of the agency concerned</p>	X	X		X	X	
<p><b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b></p> <p>A former employee is not restricted by any of the substantive restrictions of § 207 from giving testimony under oath or from making statements required to be made under penalty of perjury, subject to a special rule with respect to expert opinion testimony. Unless expert opinion testimony is given pursuant to court order, a former employee may not provide such testimony on a matter on behalf of any other person except the U.S. (or the Congress) if he is subject to the lifetime prohibition contained in § 207(a)(1) relating to that matter.</p>	X	X	X	X	X	X
<p><b>Political Parties and Campaign Committees (j)(7)</b></p> <p>A former senior or very senior employee will not violate § 207(c) or (d) if his communication or appearance is on behalf of a candidate for Federal or State office or an authorized committee, a national committee, a national Federal campaign committee, a State committee, or a political party.</p>				X	X	
<p><b>Presidential Waiver (k)</b></p> <p>A former employee is not restricted by any of the substantive restrictions of § 207 if granted 1 of 25 Presidential waivers in connection with his reemployment at a Government-owned, contractor operated entity</p>	X	X	X	X	X	X

UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**



Preventing Conflicts of Interest  
in the Executive Branch

**18 U.S.C. § 207:**  
**Senior Employees and Exceptions**

# Fact Pattern



## Dr. Roger V. Dorr

- Director, Pharmaceutical Health Agency (PHA)
  - March 2014 – Current
  - \$160,000
- Grant Director, National Endowment for the Sciences (NES)
  - September 2013 – March 2014
  - \$120,000



# Fact Pattern



## NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT AND RECUSAL STATEMENT

Section 17 of the Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act) requires certain employees to file a statement notifying their agency ethics official of any negotiation for or agreement of future employment or compensation with a non-federal entity within three business days after commencement of the negotiation or agreement. Employees who file this notification statement also must file with their agency ethics official a recusal statement whenever there is a conflict of interest or appearance of a conflict of interest with the entity. In any such case, the employee must recuse, unless the employee has first obtained a written waiver or authorization as discussed in 5 C.F.R. § 2635.605, or qualifies for a regulatory exemption pursuant to 18 U.S.C. § 208(b)(2).

### NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT

Name of Employee	Roger Dorr
Agency/Office	PHA
Date Negotiation or Agreement Commenced	9/1/14
Name(s) of Non-Federal Entity or Entities Disclose each non-federal entity with which you are negotiating for or have an agreement of future employment or compensation.	Association of Pharmaceutical Professionals (APP)

# 18 U.S.C. § 207



<b>(a)(1)</b>	<b>Permanent Ban on Switching Sides</b>
<b>(a)(2)</b>	<b>Two-Year Official Responsibility Provisions</b>
<b>(b)</b>	<b>One-Year Ban on Trade or Treaty Negotiation Activities</b>
<b>(c)</b>	<b>One-Year “Cooling-Off” Period for Former “Senior” Employees</b>
<b>(d)</b>	<b>Two-Year “Cooling-Off” Period for Former “Very Senior Employees</b>
<b>(f)</b>	<b>One-Year Ban on Former “Senior” and “Very Senior” Employees Representing, Aiding, or Advising a Foreign Entity</b>



# 18 U.S.C. § 207(c)



A Former <u>Senior Employee</u> [may not]	
Knowingly Make	With the Intent to Influence
Any Communication or Appearance	
To or Before an Employee of the Agency or Department	
In which the Former Employee Served in <u>Any Capacity</u>	During the One-Year Period Prior to Termination from Senior Service
On Behalf of Any Other Person (except the U.S.)	
In connection with any matter	In which the former employee seeks official action by an employee of the Agency or Department
For <u>One Year</u> After Service in a <u>Senior Position</u> Terminates	



# Applicability: “Senior Employees”



- Basic pay at or above 86.5% of the rate of basic pay for level II of the Executive Schedule = **\$156,997.50** for CY14
  - Roger’s rate of basic pay is \$160,000
- Positions with pay fixed according to the Executive Schedule
- 0-7 or above uniformed services grade
- Appointed by the President under 3 U.S.C. § 105(a)(2)(B)
- Appointed by the Vice President to a position under 3 U.S.C. § 106(a)(1)(B)

# Communication or Appearance



- A “communication” can be made orally, in writing, or through electronic transmission.
- An “appearance” extends to a former employee’s mere physical presence at a proceeding when the circumstances make it clear that his or her attendance is intended to influence the United States.

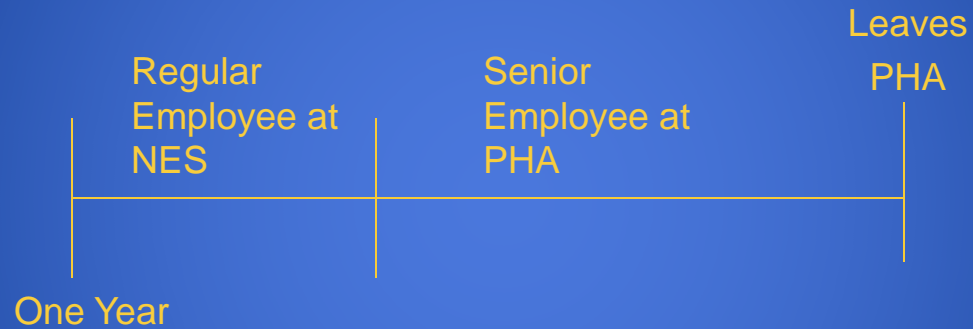


# Intent to Influence



- An “intent to influence” may be found if the communication or appearance is made for the purpose of:
  - Seeking a discretionary Government ruling, benefit, approval, or other action, or
  - Is made for the purpose of influencing Government action in connection with a matter which the former employee knows involves an appreciable element of dispute concerning the particular Government action to be taken.

# Former Agency



# On Behalf of Another



- A former employee makes a communication or appearance on behalf of another person if:
  - The former employee is acting as the other person's agent or attorney, **OR**
  - The former employee is acting with the consent of the other person, whether express or implied, **AND**
  - The former employee is acting subject to some degree of control or direction by the other person in relation to the communication or appearance.

# Matter on which Former Senior Employee Seeks Official Action

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- Representational bar applies with respect to any matter concerning which the former senior employee is seeking official action by a current employee of such agency on behalf of any other person
  - Does not require that the matter involve a specific party
  - Does not require that the former employee have ever been in any way involved in the matter
  - Does not require that the matter be previously pending at the former agency



# Length of Restriction

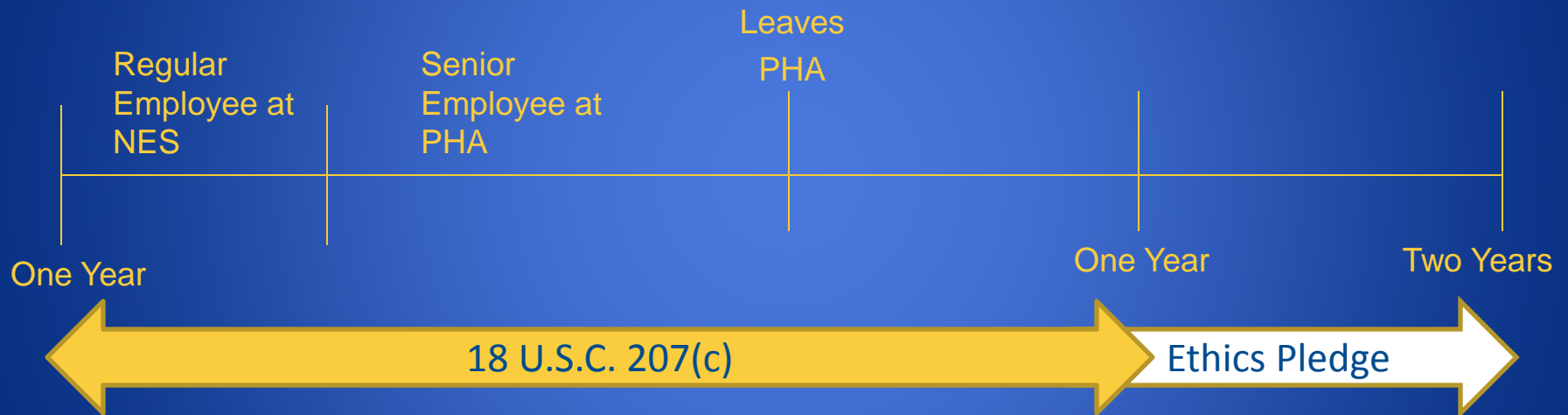


- One-year restriction
- Measured from the date when the employee ceases to serve in a senior employee position
  - Not measured from the date when the employee terminates Government service (unless those events occur simultaneously)
- E.O. 13490, “Ethics Pledge”
  - Paragraph 4: For any former “senior employee” who signed the Pledge and is covered by the post-employment restrictions set forth in 18 U.S.C. § 207(c), the “cooling-off” period is extended to two years following the end of the employee’s appointment



# Roger's Timeline

## 18 U.S.C. § 207(c)



# Component Designations, Waivers, and Notification Provisions



- **18 U.S.C. § 207(h)**: Division of an agency exercising “distinct and separate” functions may be treated as separate component
  - Components listed in 5 C.F.R. part 2641, app. B
- **18 U.S.C. § 207(c)(2)(C)**: Positions may be waived from prohibitions of §§ 207(c) & (f)
  - Waived positions listed in 5 C.F.R. part 2641, app. A
- **5 USC § 7302**: Must provide written notification to employees at the time they enter a position in which they are covered by §§ 207(c) & (f) due to their rate of pay, and again when they are no longer covered by §§ 207(c) & (f)
  - Regulations promulgated at 5 C.F.R. part 730

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X

# Fact Pattern



## NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT AND RECUSAL STATEMENT

Section 17 of the Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act) requires certain employees to file a statement notifying their agency ethics official of any negotiation for or agreement of future employment or compensation with a non-federal entity within three business days after commencement of the negotiation or agreement. Employees who file this notification statement also must file with their agency ethics official a recusal statement whenever there is a conflict of interest or appearance of a conflict of interest with the entity. In any such case, the employee must recuse, unless the employee has first obtained a written waiver or authorization as discussed in 5 C.F.R. § 2635.605, or qualifies for a regulatory exemption pursuant to 18 U.S.C. § 208(b)(2).

### NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT

Name of Employee	Roger Dorr
Agency/Office	PHA
Date Negotiation or Agreement Commenced	9/1/14
Name(s) of Non-Federal Entity or Entities Disclose each non-federal entity with which you are negotiating for or have an agreement of future employment or compensation.	Big International Law & Consulting, LLC

# 18 U.S.C. 207(f)



A Former Senior or Very Senior Employee [may not]		
Knowingly		
Within 1 year of leaving Senior or Very Senior position		
Represent	Aid	Advise
A Foreign Entity		
With the Intent to Influence		
A Decision		
Of a Current Officer or Employee of any Department or Agency of the US		
Made In Carrying out the Current Employee's Official Duties		



MARCH 3, 1986

\$1.95

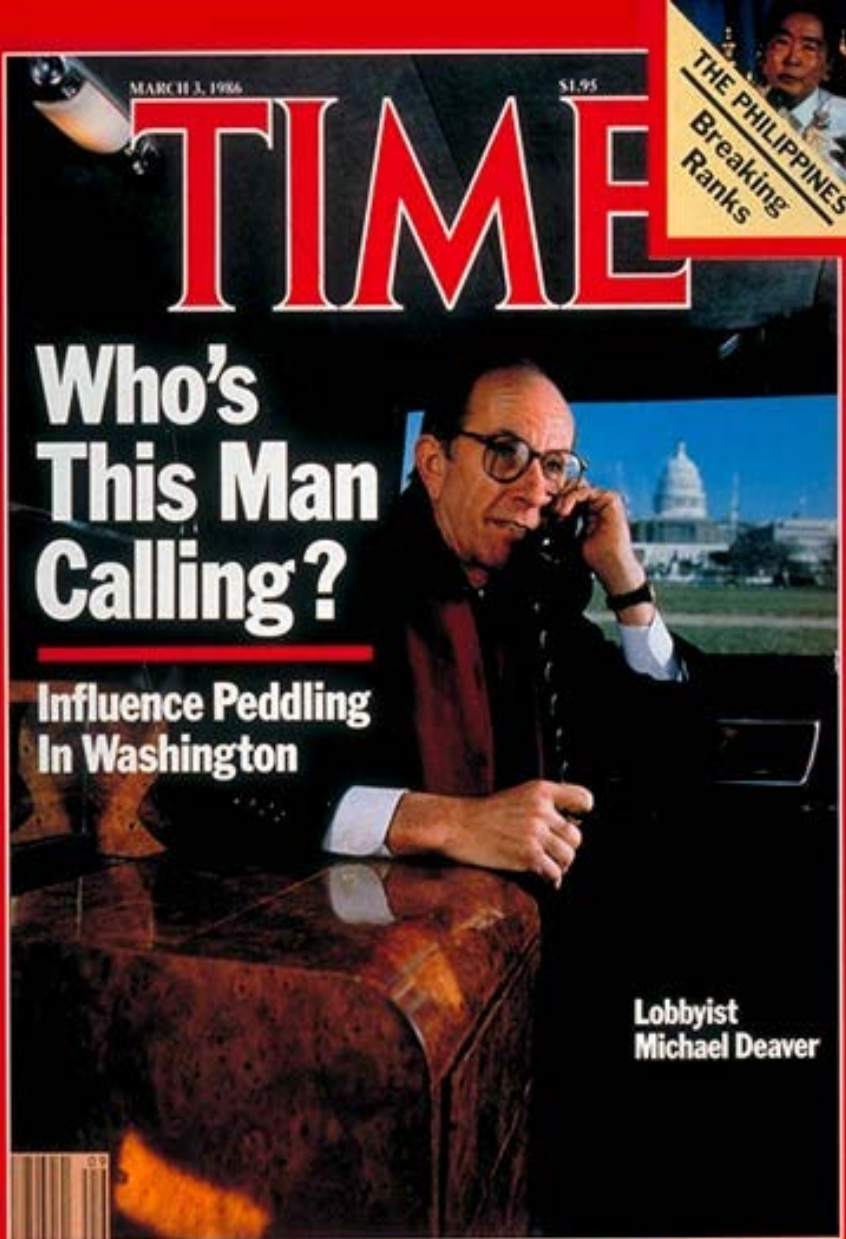
# TIME

**THE PHILIPPINES**  
Breaking  
Ranks

## Who's This Man Calling?

**Influence Peddling  
In Washington**

**Lobbyist  
Michael Deaver**



# Background on 18 U.S.C. 207(f)



- Section 207(f) was passed as part of the Ethics Reform Act of 1989.
- Various other provisions added as a result of the Ethics Reform Act:
  - Prohibition on component restrictions for EOP/WH
  - Introduction of Section 207(d), widening the “cooling off” prohibition for high level officials
  - Introduction of Section 207(b), dealing with trade/treaty agreements.



# Elements of 18 U.S.C. 207(f)



A Former Senior or Very Senior Employee [may not]		
Knowingly		
Within 1 year of leaving Senior or Very Senior position		
Represent	Aid	Advise
A Foreign Entity		
With the Intent to Influence		
A Decision		
Of a Current Officer or Employee of any Department or Agency of the US		
Made In Carrying out the Current Employee's Official Duties		

# Elements on 18 U.S.C. 207(f)



**To whom does 207(f) apply?:**

**Any Former Senior or Very Senior Employee**

# Elements of 18 U.S.C. 207(f)



**When does 207(f) apply?:**

Within 1 year of leaving Senior or  
Very Senior position

# Elements of 18 U.S.C. 207(f)



## What is prohibited under 207(f):

- Representing Foreign Entities
- Aiding/Advising Foreign Entities

With the intent to influence a decision of any employee or officer of any department or agency in carrying out his official duties.

# Elements of 18 U.S.C. 207(f)



**Represent:** communications or appearances before the U.S. on behalf of the Foreign Entity.

**Advising:** providing counsel and expertise to the Foreign Entity directly, not just “making unsolicited observations to the public at large that prove helpful to the entity” incidentally.

**Aiding:** services a person provides on behalf of a foreign entity, i.e. help or support to the entity in influencing a decision of the US. Need not be aimed directly at the U.S. Gov’t.

Not triggered unless the aid/advice is made “on behalf of” the entity, i.e. former employee is acting with consent and at direction of entity.

# Elements of 18 U.S.C. 207(f)



## What is a Foreign Entity?

18 U.S.C. 207(f)(3):

- Foreign Government
- Foreign Political Party

As defined by the Foreign Agents Registration Act of 1938.



# Elements of 18 U.S.C. 207(f)



**Who is an employee prohibited from attempting to influence?:**

207(c): Former Agency

207(d): Former Agency + EL Officials

207(f): “Employees or Officers” of any Agency or Department *including* Members of Congress & Leg. Branch



# Elements of 18 U.S.C. 207(f)



**What is representation/aiding/advising with the intent to influence a decision?**

OGE regulation defines “intent to influence” to mean acting with the purpose of:

- Seeking a government ruling, benefit, approval, or other discretionary action; or
- Affecting action in connection with an issue or aspect of a matter which involves an appreciable element of actual or potential dispute or controversy.

# Elements of 18 U.S.C. 207(f)



What is a “decision” of a Current Employee?

For comparison’s sake:

- 18 U.S.C. 207(a)(1):  
“Makes any communication or appearance, with the intent to influence”
- 18 U.S.C. 207(f):  
“Aids or advises with the intent to influence a decision...”

# Exceptions to 207



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X

# Exceptions to 18 U.S.C. 207



## What types of exceptions?

- Content-Specific

These exceptions focus on the content of the representation.

- Content-Neutral

These exceptions do not focus on the content of the representation, but rather focus on the type of entity that the employee is representing, the status of the employee, or other non-content based criteria.

# Fact Pattern



## NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT AND RECUSAL STATEMENT

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### NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT

Name of Employee	Roger Dorr
Agency/Office	PHA
Date Negotiation or Agreement Commenced	9/1/14
Name(s) of Non-Federal Entity or Entities Disclose each non-federal entity with which you are negotiating for or have an agreement of future employment or compensation.	University of American Medicine

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X



# 18 U.S.C. § 207(j)(2)



A former senior or very senior employee will not violate § 207(c) or (d) if his communication or appearance is made in carrying out official duties as an employee of . . .

(a) an agency or instrumentality of a State or local Government if the appearance, communication, or representation is on behalf of such government; or

(b) an accredited degree-granting institution of higher education as defined in § 101 of the Higher Education Act of 1965, as amended (20 U.S.C. § 1001), or a hospital or medical research organization exempted and defined under § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)).



# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X

# 18 U.S.C. § 207(j)(4)



**Special knowledge.**— The restrictions contained in subsections (c), (d), and (e) shall not prevent an individual from making or providing a statement, which is based on the individual's own special knowledge in the particular area that is the subject of the statement, if no compensation is thereby received.

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X

# 18 U.S.C. § 207(j)(5)



Notwithstanding 207(a), (c) or (d), an employee may make a communication *solely* for purposes of furnishing scientific or technological information if:

- Done in accordance with Agency procedures; or
- If the Agency, in consultation with OGE, publishes certification in the Federal register that
  - The employee has outstanding scientific or technological qualifications
  - That those qualifications are needed in the particular matter; and
  - That the national interest is served by the former employees' participation.

# Fact Pattern



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Name of Employee	Roger Dorr
Agency/Office	PHA
Date Negotiation or Agreement Commenced	9/1/14
Name(s) of Non-Federal Entity or Entities Disclose each non-federal entity with which you are negotiating for or have an agreement of future employment or compensation.	Armenian National University of Medicine

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X



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### NOTIFICATION OF POST-EMPLOYMENT NEGOTIATION OR AGREEMENT

Name of Employee	Roger Dorr
Agency/Office	PHA
Date Negotiation or Agreement Commenced	9/1/14
Name(s) of Non-Federal Entity or Entities Disclose each non-federal entity with which you are negotiating for or have an agreement of future employment or compensation.	Political Party

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
Official Government Duties (j)(1)	X	X	X	X	X	X
State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)				X	X	
International Organizations (j)(3)	X	X	X	X	X	X
Special Knowledge (j)(4)				X	X	
Scientific or Technological Information (j)(5)	X	X		X	X	
Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
Presidential Waiver (k)	X	X	X	X	X	X

# 18 U.S.C. § 207(j)(7)



A former senior or very senior employee will not violate § 207(c) or (d) if his communication or appearance is solely on behalf of a candidate in his or her capacity as candidate or an authorized committee, a national committee, a national Federal campaign committee, a State committee, or a political party.

# 18 U.S.C. § 207(j)(7)(B): Limitations



The exception will not apply if:

- (i) the representation is before the Federal Election Commission by a former employee of the FEC; or
- (ii) the representation is made at the time the person is employed by a person or entity other than —
  - (I) a candidate, an authorized committee, a national committee, a national Federal campaign committee, a State committee, or a political party; or
  - (II) a person or entity who represents, aids, or advises only persons or entities described above.



New Employer:  
Maryland State Government

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
Official Government Duties (j)(1)	X	X	X	X	X	X
State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)				X	X	
International Organizations (j)(3)	X	X	X	X	X	X
Special Knowledge (j)(4)				X	X	
Scientific or Technological Information (j)(5)	X	X		X	X	
Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)	X	X	X	X	X	X
Political Parties and Campaign Committees (j)(7)				X	X	
Presidential Waiver (k)	X	X	X	X	X	X



# 18 U.S.C. § 207(j)(2)(A)



A former senior or very senior employee will not violate § 207(c) or (d) if his communication or appearance is made in carrying out official duties as an employee of . . .

- (a) an agency or instrumentality of a State or local Government if the appearance, communication, or representation is on behalf of such government

# Do any exceptions apply?



Exceptions / Waivers	(a)(1)	(a)(2)	(b)	(c)	(d)	(f)
<b>Official Government Duties (j)(1)</b>	X	X	X	X	X	X
<b>State and Local Governments and Institutions, Hospitals, and Organizations (j)(2)</b>				X	X	
<b>International Organizations (j)(3)</b>	X	X	X	X	X	X
<b>Special Knowledge (j)(4)</b>				X	X	
<b>Scientific or Technological Information (j)(5)</b>	X	X		X	X	
<b>Testimony under Oath or Statements Made under Penalty of Perjury (j)(6)</b>	X	X	X	X	X	X
<b>Political Parties and Campaign Committees (j)(7)</b>				X	X	
<b>Presidential Waiver (k)</b>	X	X	X	X	X	X

# 18 U.S.C. § 207(j)(1)



A former employee will not violate § 207 if his communication or appearance is on behalf of:

- United States;
- District of Columbia; or
- As an elected official of a State or local government.

*Further Questions?*

Contact:



*Rachel Dowell*

*Assistant Counsel*

*202-482-9267*

*Christopher Swartz*

*Assistant Counsel*

*202-482-9266*