

OGE Use Only

GSA Interagency Report  
Control No: 0398-OGE-AR

## 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 IC IG	Agency Case or Referral Number 2013-0034	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 13 SEPT 2013	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. (b)(3), ODNI	

### 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: DoD  
Compensated representation on behalf of: Multiple private contracting companies.  
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: DoD  
Representation on behalf of: Multiple private contracting companies.
  
- 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.): Cash  
Value of supplementation: \$ 98,889 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

(b)(3), (b)(7)(c)

Date

9 FEB 2015

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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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.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

EDVA declined prosecution on 28 JULY 2014.

Employee resigned position.

IC IG Ethics/Legal Advisor: [REDACTED] (b)(3) [REDACTED]

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

DOJ declined prosecution.

DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

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Agency Referring the Case IC IG	Agency Case or Referral Number 2014-0010	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 9 SEPT 2014	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. <span style="background-color: black; color: white; padding: 2px;">(b)(3)</span> ODNI	

### 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).

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Federal entity before which representation occurred: \_\_\_\_\_  
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Were representational services rendered or to be rendered:  by the employee  or by another?

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Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_

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Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation:  oral?  and/or written?  
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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  
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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

(b)(3), (b)(7)(c)

Date

9 Feb 2015

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

EDVA declined prosecution on 9 SEPT 2014.

IC IG Ethics/Legal Advisor: [REDACTED] (b)(3)

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

DOJ declined prosecution.

DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any: