

Office of Government Ethics
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Letter to the Recipient
of our February 17, 1981 Letter
to a Designated Agency Ethics Official
dated March 19, 1981

This letter is in response to your letters of February 23rd and 26th to [the] then designated agency ethics official of the [your former agency] and your conversation with a member of my staff. You had written [the DAEO] for further elaboration of language used in a letter from this Office to [the DAEO] dated February 17, 1981, in which we stated that section 207(c) would prohibit you as a former Senior Employee [of an agency] from speaking on behalf of your new private employer at a conference which was "sponsored or co-sponsored" by [that agency].

You asked whether the concept of sponsorship by [the agency] would include an [agency] grant of a portion of the funds used for the conference and attached information concerning three specific conferences at which you had been asked to speak. We have reviewed the materials and have determined that you would not be prohibited from speaking at these conferences.

As my staff member indicated to you, conferences which are in fact public forums are not the type of conference which was contemplated in our February 17 letter. This is the case even though [your former agency] may provide some financial assistance to the group which organizes and manages the conference. Sponsorship and co-sponsorship as used in our earlier letter are to be construed very narrowly. The type of conference which would give rise to a question under 18 U.S.C. § 207(c) is one which [the agency] organizes for its own employees and might incidentally be open to the public. Co-sponsorship would arise in this context if, for instance, [the agency] in conjunction with a university whose facilities and planning services were to be used, would "co-sponsor" a conference for [agency] employees, university personnel, students, and incidentally the public.

Finally, we noted that in the materials you submitted with your letter, the invitations to speak had in two cases been directed to you in your former Federal capacity. You should be careful to make it clear to the audience that your position has changed and

to avoid using information in your talk which you gained while serving the Government which is not available to the public.

Please feel free to contact this Office or the designated agency ethics official at [your former agency] if you have further questions concerning the application of the post-employment restrictions to additional contemplated activities.

Sincerely,

J. Jackson Walter
Director