

## **Office of Government Ethics**

**81 x 15 -- 04/17/81**

### **Letter to a Former Government Attorney**

**dated April 17, 1981**

You have asked the Office of Government Ethics two questions in your April 15, 1981 letter:

1. Would 18 U.S.C. § 207 be any bar to your representing [three gas companies] in their negotiations with [an] Algerian state-owned oil company, to explore the possibility of purchasing liquified natural gas ("LNG") directly from [this Algerian state-owned oil company] to import into the United States?
2. Would 18 U.S.C. §§ 207 (b)(i) and (ii) be any bar to your representing [three gas companies] by a formal or informal appearance before or communication with intent to influence the United States Government in order to obtain approval for these three companies to import LNG into the United States pursuant to any contract which may result from the negotiations described above?

The answer to the first question is no. The restrictions of 18 U.S.C. § 207 do not reach contract negotiations with an Algerian company or the Algerian Government conducted by you as a private attorney representing three private American corporations. Section 207 only deals with appearances before and representations to agencies of the United States Government.

The answer to the second question is also no. Based upon the facts set forth in your April 15, 1981 letter to us, which are incorporated herein for purposes of this opinion, we conclude that the "particular matter" dealing with the original 1969 contract for LNG between [the Algerian state-owned oil company] and [an American gas company, not one of the three you presently represent] ended in February 1981 when representatives of the two Departments within the Federal Government terminated all negotiations without reaching a settlement and [this company] withdrew from the project. Consequently, any attempt now to open direct negotiations for the first time between [the three gas companies] and [the Algerian state-owned oil company] would be a new "particular matter" involving different specific parties and different terms which would not have been under your "official responsibility" for purposes of 18 U.S.C. § 207(b) before you left [your] Department on January 20, 1981.

See 18 U.S.C. § 207(b)(2); 5 C.F.R. § 737.5(c)(4); 5 C.F.R. § 737.7(c), Example 1; and 5 C.F.R. § 737.7(d).

Sincerely,

J. Jackson Walter  
Director

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**1** You have correctly noted that 18 U.S.C. § 207(c) bars you for one year from your departure from [your] Department from making any oral or written communication to [your] Department with the intent to influence it on this matter or any other "particular matter." We should emphasize that this issue under section 207(c) is different than the one under section 207(b) which you have asked us.