

From: Steve Gardner
To: [Joriani, Daniel](#)
Subject: FW:OGE Issues to consider
Date: Tuesday, January 16, 2018 6:38:55 PM

Dan,

This came up today. See email chain below.

Steve Gardner

From: Steve Gardner
Sent: Tuesday, January 16, 2018 5:18 PM
To: 'Hintz, Kimberly' <kimberly.hintz@sol.doi.gov>
Subject: RE: Issues to consider

Thanks Kim,

(b) (6) The DRAFT Ethics agreement in
October (b) (6)

I would not be receiving compensation and in my mind ECSI does not provide representational or fiduciary services. I believe it is a stretch to try to define what ECSI does in this manner.

I am running this by several people, including my congressman who used to be with a law firm that represented us.

Thanks,

Steve

From: Hintz, Kimberly [<mailto:kimberly.hintz@sol.doi.gov>]
Sent: Tuesday, January 16, 2018 3:43 PM
To: Steve Gardner <(b) (6)>
Subject: Issues to consider

Mr. Gardner,

I just got off the phone with OGE - they have two serious concerns with you remaining as passive investor with ECSI and are taking a very hard line with you divesting your entire interest. One is 18 USC 203 and the other is 5 USC app 502.

18 USC 203 is a criminal statute that prohibits you from receiving or accepting any compensation for any representational services, as a an agent or attorney or otherwise rendered either personally or by another receive or accept any compensation for any representational services, as agent or attorney or otherwise, rendered or to be

rendered either personally or by another in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the [United States](#) is a party or has a direct and substantial interest, before any department, agency, court, court-martial, officer, or any civil, military, or naval commission.

5 USC app 502 deals with receipt of compensation from affiliating with or being employed by a firm, partnership, association, corporation, or other entity which provides professional services involving a fiduciary relationship.

Thanks,
Kim Hintz
Attorney-Advisor
U.S Department of the Interior
Office: (202) 208-4110

Ethics Officials represent the Government -- Advice rendered does not create an attorney-client relationship or any other confidential relationship. This e-mail (including any attachments) is intended for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected by applicable law. If you are not the intended recipient or the employee or agent responsible for delivery of this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution, copying, or use of this e-mail or its contents is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and destroy all copies.