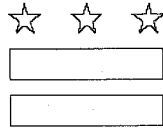


GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY



August 3, 2017

Via email: vorange@dcchamber.org

Vincent B. Orange, Sr.
President and CEO
D.C. Chamber of Commerce
506 9th Street, N.W.
Washington, D.C. 20004

Dear Mr. Orange:

This responds to your July 14, 2017 letter, in which you request clarification on two matters in follow-up to the Ethics Board's September 26, 2016 advisory opinion to you on post-Council employment restrictions.

The first matter relates to these two sentences that you quote from a web article by a WAMA reporter:¹

Orange is largely banned for life from approaching the Council to discuss contracts, tax exemptions, tax relief bills, and grants that involve the businesses he represents as head of the Chamber of Commerce. But he's free to lobby more broadly on normal legislation, as well as the annual budget.

In your letter, you say that you "disagree with this statement." However, in a July 31 email to the Board's Senior Attorney Advisor, you limited your disagreement to only the first of the sentences.

To clarify what is noted in the advisory opinion, you are prohibited, under Rule VIII(a) of the Code of Official Conduct, from knowingly making, with the intent to influence, any communication to or appearance before any officer or employee of a District government agency or court, on behalf of any other person (except the District), for the life of any particular matters² involving specific parties and in which the District is a party or has a direct and substantial

¹ The October 3, 2016 article, a hard copy of which you enclosed with your letter, is available at http://wamu.org/story/16/10/03/ethics_board_says_former_legislator_free_to_lobby_dc_council_on_bills.

² The term "particular matter," as defined by Rule I(e)(4) of the Code of Official Conduct, is "limited to deliberation, decision, or action that is focused upon the interest of specific persons, or a discrete and identifiable class of persons." As so defined, particular matters do not include most matters considered by the Council (for example, bills, resolutions, and budget requests of general applicability).

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interest, if you participated personally and substantially in such matters while on the Council. In other words, while contracts, tax exemptions, tax relief bills, and grants, for example, generally meet the definition of “particular matter,” you are barred from approaching the Council *only* for the life of any such matters in which you had *personal and substantial participation*. To the extent that such participation generally depends on a given set of facts, you would be well advised to seek further guidance in case of any doubt.

The second matter relates to footnote 13 on page 4 of the advisory opinion. You state in your letter that you interpret the footnote to mean that “serving as an elected member of the DC Council and President of the DC Chamber is not a conflict of interest pursuant to 18 U.S.C. § 208.”

Any question of a conflict of interest that may have arisen from your serving simultaneously as a Councilmember and as the President of the Chamber became moot on August 15, 2016, when you resigned from the Council. Accordingly, no opinion by the Board on such a question is necessary.

Thank you for your request. I hope the foregoing clarification is helpful.



Tameka Collier
Chairperson, Board of Ethics and Government Accountability

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