

## Department of State

## § 18.5

to the matters sought to be amplified, clarified, or verified.

(d) *Decision and right of appeal.* The final administrative decision shall be reduced to writing and sent to the individual. If the decision is adverse to the individual, the notification of the decision shall include a written description of the individual's rights of appeal to the Foreign Service Grievance Board. The Foreign Service Grievance Board shall consider any appeal under this part in accordance with the regulations of the Board set forth in 22 CFR part 901.

### PART 18—REGULATIONS CONCERNING POST EMPLOYMENT CONFLICT OF INTEREST

#### Subpart A—General Provisions

Sec.

- 18.1 Scope.
- 18.2 Definitions.
- 18.3 Director General.
- 18.4 Records.

#### Subpart B—Applicable Rules

- 18.5 Interpretative standards; advisory opinions.

#### Subpart C—Administrative Enforcement Proceedings

- 18.6 Authority to prohibit appearances.
- 18.7 Report of violation by a former employee.
- 18.8 Institution of proceeding.
- 18.9 Contents of complaint.
- 18.10 Service of complaint and other papers.
- 18.11 Answer.
- 18.12 Motions and requests.
- 18.13 Representation.
- 18.14 Hearing examiner.
- 18.15 Hearings.
- 18.16 Evidence.
- 18.17 Depositions.
- 18.18 Proposed findings and conclusions.
- 18.19 Decision of the hearing examiner.
- 18.20 Appeal to the Board of Appellate Review.
- 18.21 Decision of the Board of Appellate Review.
- 18.22 Notice of disciplinary action.

AUTHORITY: 18 U.S.C. 207, as amended, 92 Stat. 1864.

SOURCE: 46 FR 2608, Jan. 12, 1981, unless otherwise noted.

#### Subpart A—General Provisions

##### § 18.1 Scope.

This part contains rules governing disciplinary action against a former officer or employee of the Department of State, including the Foreign Service, because of a violation of the post employment conflict of interest prohibitions. Such disciplinary action may include prohibition from practice before the Department of State and any component thereof as defined in this part.

##### § 18.2 Definitions.

For the purpose of this part—

(a) The term *Department* means the Department of State and includes the Foreign Service.

(b) The term *Director General* means the Director General of the Foreign Service and Director of Personnel.

(c) The term *practice* means any informal or formal appearance before, or, with the intent to influence, any oral or written communication to the Department on a pending matter of business on behalf of any other person (except the United States).

##### § 18.3 Director General.

The Director General shall institute and provide for the conduct of disciplinary proceedings involving former employees of the Department as authorized by 18 U.S.C. 207(j), and perform such other duties as are necessary or appropriate to carry out his/her functions under this part.

##### § 18.4 Records.

The roster of all persons prohibited from practice before the Department shall be available to public inspection at the Office of Director General. Other records may be disclosed upon specific request, in accordance with appropriate disclosure regulations of the Department.

#### Subpart B—Applicable Rules

##### § 18.5 Interpretative standards; advisory opinions.

(a) A determination that a former officer or employee of the Department violated 18 U.S.C. 207(a), (b) or (c) will be made in conformance with the