



**THE JOINT STAFF  
OFFICE OF LEGAL COUNSEL  
PENTAGON, ROOM 2D938  
WASHINGTON, DC**

Reply ZIP Code:  
20318-9999

6 January 2012

General (ret.) James E. Cartwright

(b)(6)

Dear General (ret.) Cartwright,

This letter responds to your request for advice regarding the impact of post-Government employment restrictions on employment with Raytheon Company ("Raytheon").

**BACKGROUND.** You retired from the United States Marine Corps as a General on 1 September 2011. During your past two years of service, you were the Vice Chairman of the Joint Chiefs of Staff. You were the second ranking member in the United States Armed Forces and replaced the Chairman of the Joint Chiefs of Staff during periods of absence or disability.

**PROSPECTIVE EMPLOYMENT.** You are currently seeking employment with Raytheon. As you have only made initial contact on potential opportunities within Raytheon, your specific job description and responsibilities are undefined.

**PROCUREMENT INTEGRITY LAW.** You advised that within the last two years, you did not have any decision-making responsibilities, nor did you take any other action, in connection with a contract valued over \$10,000,000. Based on this information, I have determined that 41 U.S.C. § 2103 does not require any additional notices with respect to your employment contacts with any defense contractor. In addition, the procurement integrity law does not restrict you from receiving compensation from any potential client listed above. However, the procurement integrity law does apply to you to the extent that you have had access to any source selection or contractor bid or proposal information. You are required to protect that information. In addition, 18 U.S.C. §§ 793, 794 and 1905 protect and prohibit the use or disclosure of trade secrets, confidential business information, and classified information. Finally, you have a continuing obligation to the Government not to disclose or misuse any other information that you acquired as part of your official duties and which is not generally available to the public.

**REPRESENTATIONAL BANS.** 18 U.S.C. § 207, a criminal statute, restricts representational activities. It prevents an individual who participated in, or was responsible for, a particular matter while employed by the Government from later "switching sides" and representing someone else in the same matter. These restrictions are further explained below.

a. Section 207(a)(1) imposes a lifetime bar that prohibits you from knowingly making, with the intent to influence, any communication to or even an appearance before an employee of the United States on behalf of someone else in connection with a particular matter

involving a specific party in which you participated personally and substantially as a Government officer and in which the United States has a direct and substantial interest. This does not prohibit "behind-the-scenes" assistance.

"Lifetime" refers to the lifetime of the particular matter.

"Particular matter" includes any proceeding, application, contract, controversy, investigation, accusation, arrest, or other matter that involves a specific party.

"Participate personally and substantially" means to participate directly and significantly by decision, approval, disapproval, recommendation, advice, or investigation. Personal participation includes the participation of a subordinate when actually directed by you.

b. Section 207(a)(2) is nearly identical to the above lifetime restriction except that it (1) lasts for only two years after leaving Government service, and (2) applies only to those matters in which you did not participate personally and substantially, but which were pending under your official responsibility during the one-year period before terminating Government employment. "Official responsibility" is defined as direct administrative or operating authority to approve, disapprove, or otherwise direct government action.

c. Based on the information you provided, it is my opinion that the restrictions of Sections 207(a)(1) and (a)(2) do not apply to you because you did not participate "personally and substantially" in any particular matter affecting the interests of Raytheon, nor were such matters pending under your official responsibility during the one-year period prior to you leaving federal service.

d. These determinations are fact-specific. Thus, if you seek employment with a different contractor, I recommend that you request a revised ethics opinion to determine if your circumstances have changed.

**ONE-YEAR COOLING OFF PERIOD.** 18 U.S.C. § 207(c)(1) prohibits any flag officer for one year after retirement from contacting any officer or employee of the "agency" in which he served within one year of leaving his senior position with the intent to influence any official matter. "Agency" does not mean all of DoD. "Agency" in your case includes the Office of the Secretary of Defense, the Department of the Navy, the Joint Staff, and the Combatant Commands. It does not include the Department of the Army, the Department of the Air Force, DISA, DIA, DLA, NSA, NRO, DTRA, and NSA, as well as other U.S. Government agencies.

**FOREIGN GOVERNMENT EMPLOYMENT.** Because you are a flag officer, 18 U.S.C. § 207(f) prohibits you for one year after your retirement from representing, aiding, or advising a foreign government or political entity (but not a non-government corporation) to influence a decision of any officer, employee or agency of the United States. The Emoluments Clause of the Constitution further prohibits you from being employed by a foreign government



without the consent of Congress. Should you desire to seek the consent of Congress, 37 U.S.C. § 908 allows for approval through your Service Secretary.

As a final point, my opinion as an agency ethics official concerning 18 U.S.C. § 207 does not have the same weight as an opinion authorized by statute, such procurement integrity laws (41 U.S.C. § 2103-4). The *Standards of Ethical Conduct for Employees of the Executive Branch* makes it clear that, although my opinion should be persuasive concerning statutes like 18 U.S.C. § 207, my opinion on this statute does not bind the Department of Justice.

I hope this information is helpful to you. This letter, issued under the authority of 5 C.F.R. §§ 2635.107 and 602(a)(2), is an advisory opinion of an agency ethics official based on the information that you provided.

Sincerely,

(b)(6)

Deputy Legal Counsel

# POST-GOVERNMENT EMPLOYMENT ADVICE OPINION REQUEST

REPORT CONTROL  
SYMBOL  
DD-GC(AR)2412

OMB No. 0704-0467  
OMB approval expires  
Apr 30, 2013

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Service Directorate, Information Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155 (0704-0467). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION.

## PRIVACY ACT STATEMENT

AUTHORITY: 41 U.S.C. 423; 10 U.S.C. 1701 note; 5 C.F.R. 2635.107, Joint Ethics Regulation.

PRINCIPAL PURPOSE(S): To enable ethics counselors to render ethics advice to military and civilian employees leaving Government service.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to fully disclose information requested may result in receipt of incomplete advice or inability to provide written advice. This may result in a delay in being hired by a Department of Defense contractor or receipt of compensation from such contractor. Failure to comply may also result in the imposition of administrative penalties in accordance with section 27e of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e)).

## SECTION I - CONTACT INFORMATION

1. DOD AGENCY YOU WORKED OR ARE WORKING FOR (e.g., US Army, US Navy, etc.) US Marine Corps	2. a. FIRST NAME James	b. MIDDLE INITIAL E	c. LAST NAME Cartwright
3. ADDRESS			
a. STREET 1 (b)(6)		b. STREET 2 (b)(6)	
c. CITY (b)(6)	d. STATE (b)(6)	e. ZIP/ZIP+4 (b)(6)	f. COUNTRY US
4. TELEPHONE (b)(6)		e. E-MAIL ADDRESS (b)(6)	
5. HOW DO YOU WANT TO RECEIVE YOUR OPINION (X one) <input checked="" type="checkbox"/> BY E-MAIL <input type="checkbox"/> BY POSTAL MAIL			

## SECTION II - SERVICE INFORMATION

7. EMPLOYEE STATUS AT TIME OF SEPARATION OR TERMINAL/TRANSITION LEAVE <input checked="" type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN
8. DOD ORGANIZATION Joint Staff
9. DOD SUPERVISOR'S NAME Secretary Robert Gates
10. REASON FOR SEPARATION <input checked="" type="checkbox"/> RETIREMENT <input type="checkbox"/> RESIGNATION <input type="checkbox"/> OTHER (Specify)
11. SEPARATION/RETIREMENT DATE (MM/DD/YYYY) 09/01/2011
12. TERMINAL/TRANSITION LEAVE DATE (MM/DD/YYYY) 08/04/2011
13. DO YOU PLAN TO WORK WHILE ON TERMINAL/TRANSITION LEAVE? <input type="checkbox"/> NO <input type="checkbox"/> YES
14. FOR CIVILIAN EMPLOYEES: DID YOU RETIRE FROM THE U.S. ARMED FORCES? <input type="checkbox"/> NO <input type="checkbox"/> YES

## SECTION III - PRIOR ETHICS INFORMATION

15. PRIOR ETHICS ADVICE		
a. HAVE YOU RECEIVED ANY ETHICS ADVICE OR OPINION FROM ANOTHER GOVERNMENT ETHICS COUNSELOR CONCERNING YOUR PROSPECTIVE EMPLOYMENT? <input type="checkbox"/> NO PRIOR ADVICE RECEIVED <input checked="" type="checkbox"/> YES, PRIOR ADVICE RECEIVED (Complete b.)		
b. (1) ETHICS COUNSELOR'S NAME	(2) OFFICE CJCS Legal Office	(3) TELEPHONE (b)(6)
16. FINANCIAL DISCLOSURE		
a. IN THE LAST 2 YEARS, HAVE YOU FILED A FINANCIAL DISCLOSURE REPORT? <input type="checkbox"/> NO <input type="checkbox"/> YES, OGE FORM 450 <input checked="" type="checkbox"/> YES, SF 278 (If you file a SF 278, you must file a termination report no later than 30 days after separation.)		
b. IF YES, POSITIONS FOR WHICH YOU FILED Vice Chairman, Joint Chiefs of Staff		

### SECTION III - PRIOR ETHICS INFORMATION (Continued)

#### 17. CONFLICT OF INTEREST

a. IN THE LAST 2 YEARS, HAVE YOU TAKEN ANY ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST, INCLUDING ISSUING A WRITTEN DISQUALIFICATION, CHANGING JOBS, HAD YOUR DUTIES CHANGED, OR TAKEN ANY OTHER ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST? ☒ NO ☐ YES

b. IF YES, PROVIDE DETAILS:

#### 18. ETHICS PLEDGE

a. HAVE YOU SIGNED THE ETHICS PLEDGE? ☐ NO ☒ YES

b. IF YES, HAVE YOU RECEIVED A WAIVER OF THE RESTRICTIONS THAT APPLY UPON LEAVING THE GOVERNMENT?

☒ NO ☐ YES

c. IF YES, EXPLAIN THE EXTENT OF THE WAIVER:

d. IF NO, DO YOU ANTICIPATE WORK AS A LOBBYIST?

☐ NO ☐ YES

19. LICENSED ATTORNEY: PLEASE INDICATE IF YOU ARE A LICENSED ATTORNEY, EVEN IF YOU ARE NOT EMPLOYED AS AN ATTORNEY BY DOD.

☒ NO, I AM NOT A LICENSED ATTORNEY ☐ YES, I AM A LICENSED ATTORNEY

### SECTION IV - DOD POSITION INFORMATION

20. POSITIONS HELD AND MAJOR DUTIES: IN WHAT AGENCIES OR ORGANIZATIONS HAVE YOU SERVED DURING YOUR LAST 2 YEARS OF DEPARTMENT OF DEFENSE SERVICE? (Provide dates (month and year). For each position, describe your job or briefly describe your major duties during the last 2 years, focusing on duties relating to defense contracts, any aspect of the acquisition process, such as requirements development, acting as program manager, deputy program manager or contracting officer, or otherwise involved in the contracting process. Identify names of projects, program, contractors and subcontractors.)

#### a. CURRENT/MOST RECENT POSITION

(1) ORGANIZATION OR AGENCY

Joint Staff

(2) JOB TITLE

Vice Chairman, Joint Chiefs of Staff

(3) DESCRIPTION

#### b. PRIOR POSITION 1

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION

#### c. PRIOR POSITION 2

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION



# SECTION IV - DOD POSITION INFORMATION (Continued)

## 20. POSITIONS HELD AND MAJOR DUTIES (Continued)

### d. PRIOR POSITION 3

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION

### e. PRIOR POSITION 4

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION

## 21. WITHIN THE LAST TWO YEARS, HAVE YOU SERVED IN ANY OF THE FOLLOWING POSITIONS OR PERSONALLY TAKEN ONE OF THE FOLLOWING ACTIONS REGARDING AN ACQUISITION OR CONTRACT IN EXCESS OF \$10 MILLION?

### a. CONTRACTING OFFICER OR SOURCE SELECTION AUTHORITY?

☒ NO ☐ YES

### b. A MEMBER OF A SOURCE SELECTION EVALUATION BOARD, OR A CHIEF OF A FINANCIAL OR TECHNICAL EVALUATION TEAM?

☒ NO ☐ YES (If Yes, summarize your duties/responsibilities)

### c. PROGRAM MANAGER, DEPUTY PROGRAM MANAGER, OR ADMINISTRATIVE CONTRACTING OFFICER?

☒ NO ☐ YES (If Yes, summarize your duties/responsibilities)

### d. APPROVAL OF A CONTRACT, SUBCONTRACT, MODIFICATION, TASK ORDER OR DELIVERY ORDER, OR PAYMENT OF A CONTRACT CLAIM?

☒ NO ☐ YES

### e. ESTABLISHING OVERHEAD OR OTHER RATES?

☒ NO ☐ YES

### f. APPROVAL OF A CONTRACT PAYMENT?

☒ NO ☐ YES

### g. IF YOU ANSWERED "YES" TO ANY OF THESE QUESTIONS, IDENTIFY THE CONTRACT(S) IN WHICH YOU PERFORMED THAT FUNCTION (List contract number(s), title(s) and date(s) of last action)

### 22.a. DO YOU HOLD A POSITION IN THE EXECUTIVE SERVICE, SENIOR EXECUTIVE SERVICE OR A GENERAL OR FLAG POSITION (Grade O7 and above - not tracked)?

☐ NO ☒ YES

### b. DID YOU PARTICIPATE IN AN ACQUISITION WITH A VALUE IN EXCESS OF \$10 MILLION?

☒ NO ☐ YES

**SECTION V - PROSPECTIVE EMPLOYER INFORMATION**

**23. POSITIONS SOUGHT: WITH WHOM ARE YOU SEEKING EMPLOYMENT?**

Lockheed Martin

**24. ACTIONS TAKEN: WHAT ACTIONS HAVE YOU TAKEN CONCERNING YOUR FUTURE EMPLOYMENT?**

Initial contact on potential opportunities as a consultant

**25. FUTURE JOB TITLE**

a. JOB TITLE

b. JOB DESCRIPTION (Include information on how this may relate to your Government duties.)

**26. START DATE: WHEN DO YOU PLAN TO START YOUR NEW EMPLOYMENT? (MM/DD/YYYY)**

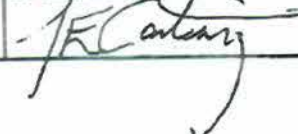
**27. ADDITIONAL COMMENTS**

I certify that the information provided on this form is true and accurate to the best of my knowledge.

**28. PRINTED FULL NAME**

James E. Cartwright

**29. SIGNATURE**



**30. DATE SIGNED**

2-17-12

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) DoD OGC (b)(6)@osd.mil>  
**Sent:** Friday, December 16, 2011 10:18 AM  
**To:** (b)(6) JCS OCJCS LC  
**Subject:** FW: Safe Harbor Letter

Here is the request. Sorry about the delay in forwarding. (And yes, this retired Marine failed to "take care of my own" retired Marine, er, General).

I'm calling (b)(6) now.

Thanks,

(b)(6)

Standards of Conduct Office  
Office of the General Counsel  
Department of Defense  
1600 Defense Pentagon (Room 3E783 [new!!]) Washington, D.C. 20301-1600

(b)(6)

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the DoD General Counsel.

-----Original Message-----

**From:** (b)(6) DoD OGC  
**Sent:** Friday, December 09, 2011 1:56 PM  
**To:** (b)(6) DoD OGC  
**Subject:** FW: Safe Harbor Letter

Hello (b)(6) Please take this for action. Call (b)(6) directly. Tx

(b)(6)

Director, DoD Standards of Conduct  
Office of General Counsel

(b)(6)

-----Original Message-----

**From:** (b)(6) mailto:(b)(6)@gmail.com]  
**Sent:** Friday, December 09, 2011 12:22 PM  
**To:** (b)(6) DoD OGC  
**Subject:** Safe Harbor Letter



(b)(6)

General (retired) James Cartwright is looking to do contract work with Raytheon as an advisor. They have asked for a copy of his Safe Harbor Letter and written guidance from DoD on post-retirement restrictions. I have a copy of a restrictions package given to General Cartwright prior to his retirement however, I am not sure what a Safe Harbor letter is or who I would get that from. I have been advised to contact you as an individual who may be able to help me out or point me in the right direction. Can you provide me with assistance? Any help is greatly appreciated. Have a wonderful Friday!

--

(b)(6)

Personal Assistant,  
Gen (ret) James Cartwright, USMC

C: (b)(6)

(b)(6)

USARMY JS OCJCS (US)

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**From:** (b)(6)@gmail.com>  
**Sent:** Friday, January 06, 2012 5:37 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

I definitely owe you a coffee and bagel when I get back from school!!

On Fri, Jan 6, 2012 at 4:49 PM, (b)(6) CS OCJCS LC <(b)(6)@js.pentagon.mil> wrote:

I'm working it...it's the only reason I'm still here on a Friday evening. :)

-----Original Message-----  
**From:** (b)(6)@gmail.com]  
**Sent:** Friday, January 06, 2012 5:34 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

I hate to bother you but have you been able to take a look at this?  
Raytheon is hoping to close everything out early next week to be in time for their Board Meeting they want General Cartwright to attend. I know you have a ton of work going on but if there is anything I can do, please let me know.

Thank you!

On Thu, Jan 5, 2012 at 11:58 AM, (b)(6) CS OCJCS LC <(b)(6)@js.pentagon.mil> wrote:

(b)(6)

Feel free to give them my contact information. I'll be glad to speak with them.

Thank you for the updated information and clarification. I'll work on

preparing the advice letter for Gen Cartwright. I'll do my best to have it complete before the weekend.

Thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)@gmail.com]  
Sent: Thursday, January 12, 2012 12:48 PM  
To: (b)(6) [mailto:(b)(6)@jcs.ocjcs.lc]

Subject: Re: Safe Harbor Letter

Sir

Spoke with General Cartwright and he said the block was marked incorrectly as he has not been on a source selection board or financial/technical evaluation team. In addition, he has not been a part of any acquisition (Raytheon or otherwise) in excess of \$10M.

I fixed the appropriate blocks on page three and attached is updated form.

In addition, Raytheon is asking permission to talk with legal office (I assume you) if they have any in-depth ethics questions concerning General Cartwright's employment. Would it be OK if I gave them you as the contact for General Cartwright? Thank you so much for all of the assistance!

On Thu, Jan 5, 2012 at 7:53 AM, (b)(6) [mailto:(b)(6)@jcs.ocjcs.lc] wrote:  
(b)(6) [mailto:(b)(6)@js.pentagon.mil] wrote:

(b)(6)

I took a look at the questionnaire yesterday. After review, there is some additional information I need in order to produce the letter.

--On page 3, block 21(g) asks for additional details on contracts



that Gen  
Cartwright may have been involved in. Because he stated he  
was a  
member of  
a source selection evaluation board or a chief of a financial  
or  
technical  
evaluation team (Block 21(b), I will need to know which  
acquisitions  
or  
contracts on which he took some action. Especially important  
is any  
information on contract award decisions in which he was  
involved  
where  
Raytheon was awarded a contract in excess of \$10 million.

--Also on the bottom of page 3, while he currently is  
retired, the  
questions  
in Block 22 refer to the assignment from which he retired.  
22(a)  
should be  
checked "yes" and 22(b) needs to be completed.

Please let me know if you have any questions.

Thanks

(b)(6)

-----Original Message-----

From: (b)(6) 18 DDR

Sent: Thursday, January 05, 2012 8:31 AM

To: (b)(6) CS OCJCS LC

Cc: (b)(6) @gmail.com'

Subject: Re: Safe Harbor Letter

Sir  
Were you able to get this letter? Gen Cartwright needs it  
for his  
talks  
with Raytheon to go any further. Please let me know if you  
need  
anything  
else or if you have any questions. Thank you and hope you had  
a  
great  
holiday!!

(b)(6)

----- Original Message -----

From: (b)(6) 8 DDR  
Sent: Thursday, December 27, 2011 08:36 AM  
To: (b)(6) ICS OIC/CF-1C  
Cc: (b)(6) @gmail.com (b)(6) @gmail.com  
Subject: Safe Harbor Letter

Sir

Per our discussion. Please let me know if you need anything else.

(b)(6) USAF  
Executive Assistant  
IS/18 DDR and DDEMAS  
(b)(6)

--  
(b)(6)  
Personal Assistant,  
Gen (ret) James Cartwright, USMC  
(b)(6)

--  
(b)(6)  
Personal Assistant,  
Gen (ret) James Cartwright, USMC  
(b)(6)

(b)(6)

Personal Assistant,  
Gen (ret) James Cartwright, USMC

(b)(6)



(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) JCS OCJCS LC  
**Sent:** Thursday, January 05, 2012 8:54 AM  
**To:** (b)(6) J8 DDR  
**Cc:** (b)(6) @gmail.com  
**Subject:** RE: Safe Harbor Letter  
**Attachments:** 20111227083101292.pdf

(b)(6)

I took a look at the questionnaire yesterday. After review, there is some additional information I need in order to produce the letter.

--On page 3, block 21(g) asks for additional details on contracts that Gen Cartwright may have been involved in. Because he stated he was a member of a source selection evaluation board or a chief of a financial or technical evaluation team (Block 21(b), I will need to know which acquisitions or contracts on which he took some action. Especially important is any information on contract award decisions in which he was involved where Raytheon was awarded a contract in excess of \$10 million.

--Also on the bottom of page 3, while he currently is retired, the questions in Block 22 refer to the assignment from which he retired. 22(a) should be checked "yes" and 22(b) needs to be completed.

Please let me know if you have any questions.

Thanks  
(b)(6)

-----Original Message-----

**From:** (b)(6) J8 DDR  
**Sent:** Thursday, January 05, 2012 8:31 AM  
**To:** (b)(6) JCS OCJCS LC  
**Cc:** (b)(6) @gmail.com  
**Subject:** Re: Safe Harbor Letter

Sir

Were you able to get this letter? Gen Cartwright needs it for his talks with Raytheon to go any further. Please let me know if you need anything else or if you have any questions. Thank you and hope you had a great holiday!!

(b)(6)

----- Original Message -----

From: (b)(6) J8 DDR  
Sent: Tuesday, December 27, 2011 08:36 AM  
To: (b)(6) CS OCICS IC  
Cc: (b)(6) @gmail.com (b)(6) @gmail.com>  
Subject: Safe Harbor Letter

Sir

Per our discussion. Please let me know if you need anything else.

(b)(6)  
USAF  
Executive Assistant  
IS/J8 DDR and DDEMAS

(b)(6)

## POST-GOVERNMENT EMPLOYMENT ADVICE OPINION REQUEST

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## SECTION I - CONTACT INFORMATION

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3. ADDRESS			
a. STREET 1 (b)(6)	b. STREET 2 (b)(6)		
c. CITY (b)(6)	d. STATE (b)(6)	e. ZIP/POSTAL CODE (b)(6)	f. COUNTRY US
4. TELEPHONE (include area code) (b)(6)	5. E-MAIL ADDRESS (b)(6)		
6. HOW DO YOU WANT TO RECEIVE YOUR OPINION (X one) <input checked="" type="checkbox"/> BY E-MAIL <input type="checkbox"/> BY POSTAL MAIL			

## SECTION II - SERVICE INFORMATION

7. EMPLOYEE STATUS AT TIME OF SEPARATION OR TERMINAL/TRANSITION LEAVE <input checked="" type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN	8. DOD ORGANIZATION Joint Staff	9. DOD SUPERVISOR'S NAME Secretary Robert Gates
10. REASON FOR SEPARATION <input checked="" type="checkbox"/> RETIREMENT <input type="checkbox"/> RESIGNATION <input type="checkbox"/> OTHER (Specify)		
11. SEPARATION/RETIREMENT DATE (MM/DD/YYYY) 09/01/2011	12. TERMINAL/TRANSITION LEAVE DATE (MM/DD/YYYY) 08/04/2011	
13. DO YOU PLAN TO WORK WHILE ON TERMINAL/TRANSITION LEAVE? <input type="checkbox"/> NO <input type="checkbox"/> YES	14. FOR CIVILIAN EMPLOYEES: DID YOU RETIRE FROM THE U.S. ARMED FORCES? <input type="checkbox"/> NO <input type="checkbox"/> YES	

## SECTION III - PRIOR ETHICS INFORMATION

15. PRIOR ETHICS ADVICE		
a. HAVE YOU RECEIVED ANY ETHICS ADVICE OR OPINION FROM ANOTHER GOVERNMENT ETHICS COUNSELOR CONCERNING YOUR PROSPECTIVE EMPLOYMENT? <input type="checkbox"/> NO PRIOR ADVICE RECEIVED <input checked="" type="checkbox"/> YES, PRIOR ADVICE RECEIVED (Complete b.)		
b. (1) ETHICS COUNSELOR'S NAME	(2) OFFICE CJCS Legal Office	(3) TELEPHONE NUMBER (b)(6)
16. FINANCIAL DISCLOSURE		
a. IN THE LAST 2 YEARS, HAVE YOU FILED A FINANCIAL DISCLOSURE REPORT? <input type="checkbox"/> NO <input type="checkbox"/> YES, OGE FORM 450 <input checked="" type="checkbox"/> YES, SF 278 (If you file a SF 278, you must file a termination report no later than 30 days after separation.)		
b. IF YES, POSITIONS FOR WHICH YOU FILED Vice Chairman, Joint Chiefs of Staff		



### SECTION III - PRIOR ETHICS INFORMATION (Continued)

#### 17. CONFLICT OF INTEREST

a. IN THE LAST 2 YEARS, HAVE YOU TAKEN ANY ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST, INCLUDING ISSUING A WRITTEN DISQUALIFICATION, CHANGING JOBS, HAD YOUR DUTIES CHANGED, OR TAKEN ANY OTHER ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST? ☒ NO ☐ YES

b. IF YES, PROVIDE DETAILS:

#### 18. ETHICS PLEDGE

a. HAVE YOU SIGNED THE ETHICS PLEDGE? ☐ NO ☒ YES

b. IF YES, HAVE YOU RECEIVED A WAIVER OF THE RESTRICTIONS THAT APPLY UPON LEAVING THE GOVERNMENT?

☒ NO ☐ YES

c. IF YES, EXPLAIN THE EXTENT OF THE WAIVER:

d. IF NO, DO YOU ANTICIPATE WORK AS A LOBBYIST?

☐ NO ☐ YES

19. LICENSED ATTORNEY: PLEASE INDICATE IF YOU ARE A LICENSED ATTORNEY, EVEN IF YOU ARE NOT EMPLOYED AS AN ATTORNEY BY DOD.

☒ NO, I AM NOT A LICENSED ATTORNEY ☐ YES, I AM A LICENSED ATTORNEY

### SECTION IV - DOD POSITION INFORMATION

20. POSITIONS HELD AND MAJOR DUTIES: IN WHAT AGENCIES OR ORGANIZATIONS HAVE YOU SERVED DURING YOUR LAST 2 YEARS OF DEPARTMENT OF DEFENSE SERVICE? (Provide dates (month and year). For each position, describe your job or briefly describe your major duties during the last 2 years, focusing on duties relating to defense contracts, any aspect of the acquisition process, such as requirements development, acting as program manager, deputy program manager or contracting officer, or otherwise involved in the contracting process. Identify names of projects, program, contractors and subcontractors.)

a. CURRENT/MOST RECENT POSITION

(1) ORGANIZATION OR AGENCY Joint Staff	(2) JOB TITLE Vice Chairman, Joint Chiefs of Staff
(3) DESCRIPTION	

b. PRIOR POSITION 1

(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

c. PRIOR POSITION 2

(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

**SECTION IV - DOD POSITION INFORMATION (Continued)**

**20. POSITIONS HELD AND MAJOR DUTIES (Continued)**

**d. PRIOR POSITION 3**

(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

**e. PRIOR POSITION 4**

(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

**21. WITHIN THE LAST TWO YEARS, HAVE YOU SERVED IN ANY OF THE FOLLOWING POSITIONS OR PERSONALLY TAKEN ONE OF THE FOLLOWING ACTIONS REGARDING AN ACQUISITION OR CONTRACT IN EXCESS OF \$10 MILLION?**

**a. CONTRACTING OFFICER OR SOURCE SELECTION AUTHORITY?**

☒ NO      ☐ YES

**b. A MEMBER OF A SOURCE SELECTION EVALUATION BOARD, OR A CHIEF OF A FINANCIAL OR TECHNICAL EVALUATION TEAM?**

☐ NO      ☒ YES (If Yes, summarize your duties/responsibilities:)

Vice Chairman, Joint Chiefs of Staff

**c. PROGRAM MANAGER, DEPUTY PROGRAM MANAGER, OR ADMINISTRATIVE CONTRACTING OFFICER?**

☒ NO      ☐ YES (If Yes, summarize your duties/responsibilities:)

**d. APPROVAL OF A CONTRACT, SUBCONTRACT, MODIFICATION, TASK ORDER OR DELIVERY ORDER, OR PAYMENT OF A CONTRACT CLAIM?**

☒ NO      ☐ YES

**e. ESTABLISHING OVERHEAD OR OTHER RATES?**

☒ NO      ☐ YES

**f. APPROVAL OF A CONTRACT PAYMENT?**

☒ NO      ☐ YES

**g. IF YOU ANSWERED "YES" TO ANY OF THESE QUESTIONS, IDENTIFY THE CONTRACT(S) IN WHICH YOU PERFORMED THAT FUNCTION (List contract number(s), title(s) and date(s) of last action)**

**22.a. DO YOU HOLD A POSITION IN THE EXECUTIVE SERVICE, SENIOR EXECUTIVE SERVICE OR A GENERAL OR FLAG POSITION (Grade O7 and above - not frocked)?**

☒ NO      ☐ YES

**b. DID YOU PARTICIPATE IN AN ACQUISITION WITH A VALUE IN EXCESS OF \$10 MILLION?**

☐ NO      ☐ YES

**SECTION V - PROSPECTIVE EMPLOYER INFORMATION**

23. POSITIONS SOUGHT: WITH WHOM ARE YOU SEEKING EMPLOYMENT?

Raytheon Company

24. ACTIONS TAKEN: WHAT ACTIONS HAVE YOU TAKEN CONCERNING YOUR FUTURE EMPLOYMENT?

Initial contact on potential opportunities

25. FUTURE JOB TITLE

a. JOB TITLE

b. JOB DESCRIPTION (Include information on how this may relate to your Government duties.)

26. START DATE: WHEN DO YOU PLAN TO START YOUR NEW EMPLOYMENT? (MM/DD/YYYY)

27. ADDITIONAL COMMENTS

I certify that the information provided on this form is true and accurate to the best of my knowledge.

28. PRINTED FULL NAME

James E. Cardwright

29. SIGNATURE



30. DATE SIGNED

22 Dec 2011



(b)(6)

USARMY JS OCJCS (US)

---

**From:** (b)(6) 8 DDR  
**Sent:** (b)(6), 2011 8:36 AM  
**To:** (b)(6) CS OCJCS LC  
**Cc:** (b)(6) @gmail.com  
**Subject:** Safe Harbor Letter  
**Attachments:** 20111227083101292.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sir

Per our discussion. Please let me know if you need anything else.

(b)(6)

USAF

Executive Assistant

JS/IR, DDR and DDEMAS

(b)(6)

# POST-GOVERNMENT EMPLOYMENT ADVICE OPINION REQUEST

REPORT CONTROL  
SYMBOL  
DD-GC(AR)2412

OMB No. 0704-0467  
OMB approval expires  
Apr 30, 2013

The public reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155 (0704-0467). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION.

## PRIVACY ACT STATEMENT

AUTHORITY: 41 U.S.C. 423; 10 U.S.C. 1701 note; 5 C.F.R. 2635.107, Joint Ethics Regulation.

PRINCIPAL PURPOSE(S): To enable ethics counselors to render ethics advice to military and civilian employees leaving Government service.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to fully disclose information requested may result in receipt of incomplete advice or inability to provide written advice. This may result in a delay in being hired by a Department of Defense contractor or receipt of compensation from such contractor. Failure to comply may also result in the imposition of administrative penalties in accordance with section 27e of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e)).

## SECTION I - CONTACT INFORMATION

1. DOD AGENCY YOU WORKED OR ARE WORKING FOR (e.g., US Army, US Navy, etc.) US Marine Corps	2.a. FIRST NAME James	b. MIDDLE INITIAL E.	c. LAST NAME Cartwright
3. ADDRESS			
a. STREET 1 (b)(6)		b. STREET 2 (b)(6)	
c. CITY (b)(6)	d. STATE (b)(6)	e. ZIP/POSTAL CODE (b)(6)	f. COUNTRY US
4. TELEPHONE NUMBER (include Area Code) (b)(6)		e. E-MAIL ADDRESS (b)(6)	
6. HOW DO YOU WANT TO RECEIVE YOUR OPINION (X one) <input checked="" type="checkbox"/> BY E-MAIL <input type="checkbox"/> BY POSTAL MAIL			

## SECTION II - SERVICE INFORMATION

7. EMPLOYEE STATUS AT TIME OF SEPARATION OR TERMINAL/TRANSITION LEAVE <input checked="" type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN
8. DOD ORGANIZATION Joint Staff
9. DOD SUPERVISOR'S NAME Secretary Robert Gates
10. REASON FOR SEPARATION <input checked="" type="checkbox"/> RETIREMENT <input type="checkbox"/> RESIGNATION <input type="checkbox"/> OTHER (Specify)
11. SEPARATION/RETIREMENT DATE (MM/DD/YYYY) 09/01/2011
12. TERMINAL/TRANSITION LEAVE DATE (MM/DD/YYYY) 08/04/2011
13. DO YOU PLAN TO WORK WHILE ON TERMINAL/TRANSITION LEAVE? <input type="checkbox"/> NO <input type="checkbox"/> YES
14. FOR CIVILIAN EMPLOYEES: DID YOU RETIRE FROM THE U.S. ARMED FORCES? <input type="checkbox"/> NO <input type="checkbox"/> YES

## SECTION III - PRIOR ETHICS INFORMATION

15. PRIOR ETHICS ADVICE		
a. HAVE YOU RECEIVED ANY ETHICS ADVICE OR OPINION FROM ANOTHER GOVERNMENT ETHICS COUNSELOR CONCERNING YOUR PROSPECTIVE EMPLOYMENT? <input type="checkbox"/> NO PRIOR ADVICE RECEIVED <input checked="" type="checkbox"/> YES, PRIOR ADVICE RECEIVED (Complete b.)		
b. (1) ETHICS COUNSELOR'S NAME	(2) OFFICE CJCS Legal Office	(3) TELEPHONE NUMBER (b)(6)
16. FINANCIAL DISCLOSURE		
a. IN THE LAST 2 YEARS, HAVE YOU FILED A FINANCIAL DISCLOSURE REPORT? <input type="checkbox"/> NO <input type="checkbox"/> YES, OGE FORM 450 <input checked="" type="checkbox"/> YES, SF 278 (If you file a SF 278, you must file a termination report no later than 30 days after separation.)		
b. IF YES, POSITIONS FOR WHICH YOU FILED Vice Chairman, Joint Chiefs of Staff		

### SECTION III - PRIOR ETHICS INFORMATION (Continued)

#### 17. CONFLICT OF INTEREST

a. IN THE LAST 2 YEARS, HAVE YOU TAKEN ANY ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST, INCLUDING ISSUING A WRITTEN DISQUALIFICATION, CHANGING JOBS, HAD YOUR DUTIES CHANGED, OR TAKEN ANY OTHER ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST? ☒ NO ☐ YES

b. IF YES, PROVIDE DETAILS:

#### 18. ETHICS PLEDGE

a. HAVE YOU SIGNED THE ETHICS PLEDGE? ☐ NO ☒ YES

b. IF YES, HAVE YOU RECEIVED A WAIVER OF THE RESTRICTIONS THAT APPLY UPON LEAVING THE GOVERNMENT?

☒ NO ☐ YES

c. IF YES, EXPLAIN THE EXTENT OF THE WAIVER:

d. IF NO, DO YOU ANTICIPATE WORK AS A LOBBYIST?

☐ NO ☐ YES

19. LICENSED ATTORNEY: PLEASE INDICATE IF YOU ARE A LICENSED ATTORNEY, EVEN IF YOU ARE NOT EMPLOYED AS AN ATTORNEY BY DOD.

☒ NO, I AM NOT A LICENSED ATTORNEY ☐ YES, I AM A LICENSED ATTORNEY

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20. POSITIONS HELD AND MAJOR DUTIES: IN WHAT AGENCIES OR ORGANIZATIONS HAVE YOU SERVED DURING YOUR LAST 2 YEARS OF DEPARTMENT OF DEFENSE SERVICE? (Provide dates (month and year). For each position, describe your job or briefly describe your major duties during the last 2 years, focusing on duties relating to defense contracts, any aspect of the acquisition process, such as requirements development, acting as program manager, deputy program manager or contracting officer, or otherwise involved in the contracting process. Identify names of projects, program, contractors and subcontractors.)

#### a. CURRENT/MOST RECENT POSITION

(1) ORGANIZATION OR AGENCY

Joint Staff

(2) JOB TITLE

Vice Chairman, Joint Chiefs of Staff

(3) DESCRIPTION

#### b. PRIOR POSITION 1

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION

#### c. PRIOR POSITION 2

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION



# **SECTION IV - DOD POSITION INFORMATION (Continued)**

## **20. POSITIONS HELD AND MAJOR DUTIES (Continued)**

### **d. PRIOR POSITION 3**

(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

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(1) ORGANIZATION OR AGENCY	(2) JOB TITLE
(3) DESCRIPTION	

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### **a. CONTRACTING OFFICER OR SOURCE SELECTION AUTHORITY?**

☒ NO      ☐ YES

### **b. A MEMBER OF A SOURCE SELECTION EVALUATION BOARD, OR A CHIEF OF A FINANCIAL OR TECHNICAL EVALUATION TEAM?**

☐ NO      ☒ YES (If Yes, summarize your duties/responsibilities:)

Vice Chairman, Joint Chiefs of Staff

### **c. PROGRAM MANAGER, DEPUTY PROGRAM MANAGER, OR ADMINISTRATIVE CONTRACTING OFFICER?**

☒ NO      ☐ YES (If Yes, summarize your duties/responsibilities:)

### **d. APPROVAL OF A CONTRACT, SUBCONTRACT, MODIFICATION, TASK ORDER OR DELIVERY ORDER, OR PAYMENT OF A CONTRACT CLAIM?**

☒ NO      ☐ YES

### **e. ESTABLISHING OVERHEAD OR OTHER RATES?**

☒ NO      ☐ YES

### **f. APPROVAL OF A CONTRACT PAYMENT?**

☒ NO      ☐ YES

### **g. IF YOU ANSWERED "YES" TO ANY OF THESE QUESTIONS, IDENTIFY THE CONTRACT(S) IN WHICH YOU PERFORMED THAT FUNCTION (List contract number(s), title(s) and date(s) of last action)**

### **22.a. DO YOU HOLD A POSITION IN THE EXECUTIVE SERVICE, SENIOR EXECUTIVE SERVICE OR A GENERAL OR FLAG POSITION (Grade O7 and above - not frocked)?**

☒ NO      ☐ YES

### **b. DID YOU PARTICIPATE IN AN ACQUISITION WITH A VALUE IN EXCESS OF \$10 MILLION?**

☐ NO      ☐ YES



**SECTION V - PROSPECTIVE EMPLOYER INFORMATION**

23. POSITIONS SOUGHT: WITH WHOM ARE YOU SEEKING EMPLOYMENT?

Raytheon Company

24. ACTIONS TAKEN: WHAT ACTIONS HAVE YOU TAKEN CONCERNING YOUR FUTURE EMPLOYMENT?

Initial contact on potential opportunities

25. FUTURE JOB TITLE

a. JOB TITLE

b. JOB DESCRIPTION (Include information on how this may relate to your Government duties.)

26. START DATE: WHEN DO YOU PLAN TO START YOUR NEW EMPLOYMENT? (MM/DD/YYYY)

27. ADDITIONAL COMMENTS

I certify that the information provided on this form is true and accurate to the best of my knowledge.

28. PRINTED FULL NAME

James E. Carzwright

29. SIGNATURE



30. DATE SIGNED

22 Dec 2011

(b)(6)

**ARMY JS OCJCS (US)**

---

**From:** (b)(6) JCS OCJCS CAG  
**Sent:** Friday, January 06, 2012 7:17 PM  
**To:** (b)(6) JCS OCJCS LC  
**Subject:** (b)(6)  
**Attachments:** (b)(6)

Here you go sir.

(b)(6)

(b)(6) USAF

OCJCS/CAG

(b)(6)



**THE JOINT STAFF  
OFFICE OF LEGAL COUNSEL  
PENTAGON, ROOM 2D938  
WASHINGTON, DC**

Reply ZIP Code:  
20318-9999

6 January 2012

General (ret.) James E. Cartwright

(b)(6)

Dear General (ret.) Cartwright,

This letter responds to your request for advice regarding the impact of post-Government employment restrictions on employment with Raytheon Company ("Raytheon").

**BACKGROUND.** You retired from the United States Marine Corps as a General on 1 September 2011. During your past two years of service, you were the Vice Chairman of the Joint Chiefs of Staff. You were the second ranking member in the United States Armed Forces and replaced the Chairman of the Joint Chiefs of Staff during periods of absence or disability.

**PROSPECTIVE EMPLOYMENT.** You are currently seeking employment with Raytheon. As you have only made initial contact on potential opportunities within Raytheon, your specific job description and responsibilities are undefined.

**PROCUREMENT INTEGRITY LAW.** You advised that within the last two years, you did not have any decision-making responsibilities, nor did you take any other action, in connection with a contract valued over \$10,000,000. Based on this information, I have determined that 41 U.S.C. § 2103 does not require any additional notices with respect to your employment contacts with any defense contractor. In addition, the procurement integrity law does not restrict you from receiving compensation from any potential client listed above. However, the procurement integrity law does apply to you to the extent that you have had access to any source selection or contractor bid or proposal information. You are required to protect that information. In addition, 18 U.S.C. §§ 793, 794 and 1905 protect and prohibit the use or disclosure of trade secrets, confidential business information, and classified information. Finally, you have a continuing obligation to the Government not to disclose or misuse any other information that you acquired as part of your official duties and which is not generally available to the public.

**REPRESENTATIONAL BANS.** 18 U.S.C. § 207, a criminal statute, restricts representational activities. It prevents an individual who participated in, or was responsible for, a particular matter while employed by the Government from later "switching sides" and representing someone else in the same matter. These restrictions are further explained below.

a. Section 207(a)(1) imposes a lifetime bar that prohibits you from knowingly making, with the intent to influence, any communication to or even an appearance before an employee of the United States on behalf of someone else in connection with a particular matter



involving a specific party in which you participated personally and substantially as a Government officer and in which the United States has a direct and substantial interest. This does not prohibit "behind-the-scenes" assistance.

"Lifetime" refers to the lifetime of the particular matter.

"Particular matter" includes any proceeding, application, contract, controversy, investigation, accusation, arrest, or other matter that involves a specific party.

"Participate personally and substantially" means to participate directly and significantly by decision, approval, disapproval, recommendation, advice, or investigation. Personal participation includes the participation of a subordinate when actually directed by you.

b. Section 207(a)(2) is nearly identical to the above lifetime restriction except that it (1) lasts for only two years after leaving Government service, and (2) applies only to those matters in which you did not participate personally and substantially, but which were pending under your official responsibility during the one-year period before terminating Government employment. "Official responsibility" is defined as direct administrative or operating authority to approve, disapprove, or otherwise direct government action.

c. Based on the information you provided, it is my opinion that the restrictions of Sections 207(a)(1) and (a)(2) do not apply to you because you did not participate "personally and substantially" in any particular matter affecting the interests of Raytheon, nor were such matters pending under your official responsibility during the one-year period prior to you leaving federal service.

d. These determinations are fact-specific. **Thus, if you seek employment with a different contractor, I recommend that you request a revised ethics opinion to determine if your circumstances have changed.**

**ONE-YEAR COOLING OFF PERIOD.** 18 U.S.C. § 207(c)(1) prohibits any flag officer for one year after retirement from contacting any officer or employee of the "agency" in which he served within one year of leaving his senior position with the intent to influence any official matter. "Agency" does not mean all of DoD. "Agency" in your case includes the Office of the Secretary of Defense, the Department of the Navy, the Joint Staff, and the Combatant Commands. It does not include the Department of the Army, the Department of the Air Force, DISA, DIA, DLA, NGA, NRO, DTRA, and NSA, as well as other U.S. Government agencies.

**FOREIGN GOVERNMENT EMPLOYMENT.** Because you are a flag officer, 18 U.S.C. § 207(f) prohibits you for one year after your retirement from representing, aiding, or advising a foreign government or political entity (but not a non-government corporation) to influence a decision of any officer, employee or agency of the United States. The Emoluments Clause of the Constitution further prohibits you from being employed by a foreign government



without the consent of Congress. Should you desire to seek the consent of Congress, 37 U.S.C. § 908 allows for approval through your Service Secretary.

As a final point, my opinion as an agency ethics official concerning 18 U.S.C. § 207 does not have the same weight as an opinion authorized by statute, such procurement integrity laws (41 U.S.C. § 2103-4). The *Standards of Ethical Conduct for Employees of the Executive Branch* makes it clear that, although my opinion should be persuasive concerning statutes like 18 U.S.C. § 207, my opinion on this statute does not bind the Department of Justice.

I hope this information is helpful to you. This letter, issued under the authority of 5 C.F.R. §§ 2635.107 and 602(a)(2), is an advisory opinion of an agency ethics official based on the information that you provided.

Sincerely,

(b)(6)



Deputy Legal Counsel

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) CS OCJCS LC  
**Sent:** Thursday, January 05, 2012 12:59 PM  
**To:** (b)(6)  
**Subject:** RE: Safe Harbor Letter

(b)(6)

Feel free to give them my contact information. I'll be glad to speak with them.

Thank you for the updated information and clarification. I'll work on preparing the advice letter for Gen Cartwright. I'll do my best to have it complete before the weekend.

Thanks,

(b)(6)

-----Original Message-----  
**From:** (b)(6) [redacted]@gmail.com]  
**Sent:** Thursday, January 05, 2012 12:48 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

Spoke with General Cartwright and he said the block was marked incorrectly as he has not been on a source selection board or financial/technical evaluation team. In addition, he has not been a part of any acquisition (Raytheon or otherwise) in excess of \$10M.

I fixed the appropriate blocks on page three and attached is updated form. In addition, Raytheon is asking permission to talk with legal office (I assume you) if they have any in-depth ethics questions concerning General Cartwright's employment. Would it be OK if I gave them you as the contact for General Cartwright? Thank you so much for all of the assistance!

On Thu, Jan 5, 2012 at 7:53 AM, (b)(6) CS OCJCS LC  
(b)(6)@js.pentagon.mil> wrote:

(b)(6)

I took a look at the questionnaire yesterday. After review, there is some additional information I need in order to produce the letter.

--On page 3, block 21(g) asks for additional details on contracts that Gen

Cartwright may have been involved in. Because he stated he was a member of

a source selection evaluation board or a chief of a financial or technical

evaluation team (Block 21(b), I will need to know which acquisitions

or

contracts on which he took some action. Especially important is any information on contract award decisions in which he was involved

where

Raytheon was awarded a contract in excess of \$10 million.

--Also on the bottom of page 3, while he currently is retired, the questions

in Block 22 refer to the assignment from which he retired. 22(a) should be

checked "yes" and 22(b) needs to be completed.

Please let me know if you have any questions.

(b)(6)

-----Original Message-----

From: (b)(6) 8 DDR

Sent: Thursday, January 05, 2012 8:31 AM

To: (b)(6) JCS OCJCS LC

Cc: (b)(6) @gmail.com'

Subject: Re: Safe Harbor Letter

Sir

Were you able to get this letter? Gen Cartwright needs it for his

talks

with Raytheon to go any further. Please let me know if you need

anything

else or if you have any questions. Thank you and hope you had a

great

holiday!!

(b)(6)

-----Original Message-----

From: (b)(6) 8 DDR

Sent: Tuesday, December 27, 2011 08:36 AM

To: (b)(6) CS OCICS LC  
Cc: (b)(6) @gmail.com (b)(6) @gmail.com>  
Subject: Safe Harbor Letter

Sir

Per our discussion. Please let me know if you need anything else.

(b)(6) USAF  
Executive Assistant  
JS/J8, DDR and DDFMAS  
(b)(6)

(b)(6)  
Personal Assistant,  
Gen (ret) James Cartwright, USMC  
(b)(6)



(b)(6)

USARMY JS OCJCS (US)

---

**From:** (b)(6) J8 DDR  
**Sent:** Thursday, January 05, 2012 8:31 AM  
**To:** (b)(6) JCS OCJCS LC  
**Cc:** (b)(6) @gmail.com  
**Subject:** Re: Safe Harbor Letter

Sir  
Were you able to get this letter? Gen Cartwright needs it for his talks with Raytheon to go any further. Please let me know if you need anything else or if you have any questions. Thank you and hope you had a great holiday!!

(b)(6)

----- Original Message -----  
**From:** (b)(6) J8 DDR  
**Sent:** Tuesday, December 27, 2011 08:36 AM  
**To:** (b)(6) JCS OCJCS LC  
**Cc:** (b)(6) @gmail.com; (b)(6) @gmail.com  
**Subject:** Safe Harbor Letter

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(b)(6) USAF  
Executive Assistant  
J8/J8. DDR and DDFMAS  
(b)(6)

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6)@gmail.com>  
**Sent:** (b)(6) 5:08 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

You are wonderful! Thank you and we truly appreciate it. Have a great weekend.

On Fri, Jan 6, 2012 at 6:23 PM (b)(6) CS OCJCS LC (b)(6)@js.pentagon.mil> wrote:

(b)(6)

At long last, here it is. Please let me know if the General has any questions.

Thanks

(b)(6)

-----Original Message-----

**From:** (b)(6)@gmail.com]

**Sent:** Friday, January 06, 2012 5:57 PM

**To:** (b)(6) CS OCJCS LC

**Subject:** Re: Safe Harbor Letter

Sir

I definitely owe you a coffee and bagel when I get back from school!!

On Fri, Jan 6, 2012 at 4:49 PM (b)(6) CS OCJCS LC (b)(6)@js.pentagon.mil> wrote:

I'm working it...it's the only reason I'm still here on a Friday evening. :)

-----Original Message-----

**From:** (b)(6)@gmail.com]

**Sent:** Friday, January 06, 2012 5:34 PM

**To:** (b)(6) CS OCJCS LC

**Subject:** Re: Safe Harbor Letter

Sir

I hate to bother you but have you been able to take a look at this?  
Raytheon is hoping to close everything out early next week to be in  
time for  
their Board Meeting they want General Cartwright to attend. I know  
you have  
a ton of work going on but if there is anything I can do, please let  
me  
know.

Thank you!

On Thu, Jan 5, 2012 at 11:58 AM, (b)(6) CS OCJCS LC  
(b)(6) @js.pentagon.mil> wrote: .

(b)(6)

Feel free to give them my contact information. I'll be glad  
to  
speak with  
them.

Thank you for the updated information and clarification.  
I'll work  
on  
preparing the advice letter for Gen Cartwright. I'll do my  
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in Block 22 refer to the assignment from which he  
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22(a)  
should be  
checked "yes" and 22(b) needs to be completed.

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Sent: Thursday, January 05, 2012 8:31 AM

To: (b)(6) CS OCJCS LC

Cc: (b)(6) @gmail.com'

Subject: Re: Safe Harbor Letter

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with Raytheon to go any further. Please let me know if  
you  
need  
anything  
else or if you have any questions. Thank you and hope  
you had  
a  
great  
holiday!!

(b)(6)

----- Original Message -----

From: (b)(6) 8 DDR  
Sent: Tuesday, December 27, 2011 08:36 AM  
To: (b)(6) CS OCICS LC  
Cc: (b)(6) @gmail.com (b)(6) @gmail.com>  
Subject: Safe Harbor Letter

Sir

Per our discussion. Please let me know if you need  
anything  
else.

(b)(6) USAF  
Executive Assistant  
IS/IR, DDR and DDEMAS

(b)(6)

(b)(6)  
Personal Assistant,  
Gen (ret) James Cartwright, USMC  
(b)(6)

(b)(6)  
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Gen (ret) James Cartwright, USMC  
(b)(6)

--  
(b)(6)

Personal Assistant,

Gen (ret) James Cartwright, USMC

(b)(6)

--  
(b)(6)

Personal Assistant,

Gen (ret) James Cartwright, USMC

(b)(6)

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) JCS OCJCS LC  
**Sent:** (b)(6), 2012 5:49 PM  
**To:** (b)(6)  
**Subject:** RE: Safe Harbor Letter

I'm working it...it's the only reason I'm still here on a Friday evening. :)

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**To:** (b)(6) JCS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

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a ton of work going on but if there is anything I can do, please let me  
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Thank you!

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(b)(6) @js.pentagon.mil> wrote:

(b)(6)

Feel free to give them my contact information. I'll be glad to  
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Thank you for the updated information and clarification. I'll work  
on  
preparing the advice letter for Gen Cartwright. I'll do my best to  
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Thanks

(b)(6)

-----Original Message-----

**From:** (b)(6) @gmail.com]



Sent: Thursday, January 05, 2012 12:48 PM

To: (b)(6) Maj JCS OCJCS LC

Subject: Re: Safe Harbor Letter

Sir

Spoke with General Cartwright and he said the block was marked incorrectly

as he has not been on a source selection board or financial/technical

evaluation team. In addition, he has not been a part of any acquisition

(Raytheon or otherwise) in excess of \$10M.

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In addition, Raytheon is asking permission to talk with legal office (I

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[Redacted]

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(b)(6)  
[Redacted]  
Personal Assistant,  
Gen (ret) James Cartwright, USMC  
(b)(6)  
[Redacted]

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) @gmail.com>  
**Sent:** Friday, January 06, 2012 5:34 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

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Thank you!

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Thanks

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**Sent:** Thursday, January 05, 2012 12:48 PM  
**To:** (b)(6) CS OCJCS LC

**Subject:** Re: Safe Harbor Letter

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(b)(6)

USAF

Executive Assistant

JS/J8, DDR and DDFMAS

(b)(6)

(b)(6)

Personal Assistant,

Gen (ret) James Cartwright, USMC

(b)(6)

(b)(6)

Personal Assistant,  
Gen (ret) James Cartwright, USMC

(b)(6)



(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) JCS OCJCS LC  
**Sent:** Friday, December 16, 2011 1:28 PM  
**To:** (b)(6) DoD OGC  
**Subject:** RE: Safe Harbor Letter

(b)(6)

No problem at all. I've been in contact with (b)(6) and can take things from here.

(b)(6)

-----Original Message-----

**From:** (b)(6) DoD OGC [mailto:(b)(6)@osd.mil]  
**Sent:** Friday, December 16, 2011 10:18 AM  
**To:** (b)(6) JCS OCJCS LC  
**Subject:** FW: Safe Harbor Letter

Here is the request. Sorry about the delay in forwarding. (And yes, this retired Marine failed to "take care of my own" retired Marine, er, General).

I'm calling (b)(6) now.

Thanks,

(b)(6)

(b)(6)

Standards of Conduct Office  
Office of the General Counsel  
Department of Defense  
1600 Defense Pentagon (Room 3E783 [new!])  
Washington, D.C. 20301-1600

(b)(6)

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the DoD General Counsel.

-----Original Message-----

**From:** (b)(6) DoD OGC  
**Sent:** Friday, December 09, 2011 1:56 PM



To: (b)(6) DoD OGC  
Subject: FW: Safe Harbor Letter

Hello (b)(6) Please take this for action. Call (b)(6) directly. Tx

(b)(6)  
Director, DoD Standards of Conduct  
Office of General Counsel

(b)(6)

-----Original Message-----

From: (b)(6) mailto:(b)(6)@gmail.com]  
Sent: Friday, December 09, 2011 12:22 PM  
To: (b)(6) DoD OGC  
Subject: Safe Harbor Letter

Ms (b)(6)

General (retired) James Cartwright is looking to do contract work with Raytheon as an advisor. They have asked for a copy of his Safe Harbor Letter and written guidance from DoD on post-retirement restrictions. I have a copy of a restrictions package given to General Cartwright prior to his retirement however, I am not sure what a Safe Harbor letter is or who I would get that from. I have been advised to contact you as an individual who may be able to help me out or point me in the right direction. Can you provide me with assistance? Any help is greatly appreciated. Have a wonderful Friday!

(b)(6)  
Personal Assistant,  
Gen (ret) James Cartwright, USMC

(b)(6)

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) CS OCJCS LC  
**Sent:** Friday, January 06, 2012 7:24 PM  
**To:** (b)(6)  
**Subject:** RE: Safe Harbor Letter  
**Attachments:** PGE--Cartwright.pdf

(b)(6)

At long last, here it is. Please let me know if the General has any questions.

Thanks

(b)(6)

-----Original Message-----

**From:** (b)(6) [redacted]@gmail.com]  
**Sent:** Friday, January 06, 2012 5:57 PM  
**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

Sir

I definitely owe you a coffee and bagel when I get back from school!!

On Fri, Jan 6, 2012 at 4:49 PM, (b)(6) CS OCJCS LC  
(b)(6) [redacted]@js.pentagon.mil wrote:

I'm working it...it's the only reason I'm still here on a Friday evening. :)

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**From:** (b)(6) [redacted]@gmail.com]  
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**To:** (b)(6) CS OCJCS LC  
**Subject:** Re: Safe Harbor Letter

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know.

Thank you!

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Feel free to give them my contact information. I'll be glad  
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I'll work  
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million. Raytheon was awarded a contract in excess of \$10

--Also on the bottom of page 3, while he currently is retired, the questions in Block 22 refer to the assignment from which he retired.

22(a) should be checked "yes" and 22(b) needs to be completed.

Please let me know if you have any questions.

Thanks

(b)(6)

-----Original Message-----

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Cc: (b)(6)@gmail.com

Subject: Re: Safe Harbor Letter

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Gen (ret) James Cartwright, USMC

(b)(6)





**THE JOINT STAFF  
OFFICE OF LEGAL COUNSEL  
PENTAGON, ROOM 2D938  
WASHINGTON, DC**

Reply ZIP Code:  
20318-9999

6 January 2012

General (ret.) James F. Cartwright

(b)(6)

Dear General (ret.) Cartwright,

This letter responds to your request for advice regarding the impact of post-Government employment restrictions on employment with Raytheon Company ("Raytheon").

**BACKGROUND.** You retired from the United States Marine Corps as a General on 1 September 2011. During your past two years of service, you were the Vice Chairman of the Joint Chiefs of Staff. You were the second ranking member in the United States Armed Forces and replaced the Chairman of the Joint Chiefs of Staff during periods of absence or disability.

**PROSPECTIVE EMPLOYMENT.** You are currently seeking employment with Raytheon. As you have only made initial contact on potential opportunities within Raytheon, your specific job description and responsibilities are undefined.

**PROCUREMENT INTEGRITY LAW.** You advised that within the last two years, you did not have any decision-making responsibilities, nor did you take any other action, in connection with a contract valued over \$10,000,000. Based on this information, I have determined that 41 U.S.C. § 2103 does not require any additional notices with respect to your employment contacts with any defense contractor. In addition, the procurement integrity law does not restrict you from receiving compensation from any potential client listed above. However, the procurement integrity law does apply to you to the extent that you have had access to any source selection or contractor bid or proposal information. You are required to protect that information. In addition, 18 U.S.C. §§ 793, 794 and 1905 protect and prohibit the use or disclosure of trade secrets, confidential business information, and classified information. Finally, you have a continuing obligation to the Government not to disclose or misuse any other information that you acquired as part of your official duties and which is not generally available to the public.

**REPRESENTATIONAL BANS.** 18 U.S.C. § 207, a criminal statute, restricts representational activities. It prevents an individual who participated in, or was responsible for, a particular matter while employed by the Government from later "switching sides" and representing someone else in the same matter. These restrictions are further explained below.

a. Section 207(a)(1) imposes a lifetime bar that prohibits you from knowingly making, with the intent to influence, any communication to or even an appearance before an employee of the United States on behalf of someone else in connection with a particular matter



involving a specific party in which you participated personally and substantially as a Government officer and in which the United States has a direct and substantial interest. This does not prohibit "behind-the-scenes" assistance.

"Lifetime" refers to the lifetime of the particular matter.

"Particular matter" includes any proceeding, application, contract, controversy, investigation, accusation, arrest, or other matter that involves a specific party.

"Participate personally and substantially" means to participate directly and significantly by decision, approval, disapproval, recommendation, advice, or investigation. Personal participation includes the participation of a subordinate when actually directed by you.

b. Section 207(a)(2) is nearly identical to the above lifetime restriction except that it (1) lasts for only two years after leaving Government service, and (2) applies only to those matters in which you did not participate personally and substantially, but which were pending under your official responsibility during the one-year period before terminating Government employment. "Official responsibility" is defined as direct administrative or operating authority to approve, disapprove, or otherwise direct government action.

c. Based on the information you provided, it is my opinion that the restrictions of Sections 207(a)(1) and (a)(2) do not apply to you because you did not participate "personally and substantially" in any particular matter affecting the interests of Raytheon, nor were such matters pending under your official responsibility during the one-year period prior to you leaving federal service.

d. These determinations are fact-specific. **Thus, if you seek employment with a different contractor, I recommend that you request a revised ethics opinion to determine if your circumstances have changed.**

**ONE-YEAR COOLING OFF PERIOD.** 18 U.S.C. § 207(c)(1) prohibits any flag officer for one year after retirement from contacting any officer or employee of the "agency" in which he served within one year of leaving his senior position with the intent to influence any official matter. "Agency" does not mean all of DoD. "Agency" in your case includes the Office of the Secretary of Defense, the Department of the Navy, the Joint Staff, and the Combatant Commands. It does not include the Department of the Army, the Department of the Air Force, DISA, DIA, DLA, NSA, NRO, DTRA, and NSA, as well as other U.S. Government agencies.

**FOREIGN GOVERNMENT EMPLOYMENT.** Because you are a flag officer, 18 U.S.C. § 207(f) prohibits you for one year after your retirement from representing, aiding, or advising a foreign government or political entity (but not a non-government corporation) to influence a decision of any officer, employee or agency of the United States. The Emoluments Clause of the Constitution further prohibits you from being employed by a foreign government



without the consent of Congress. Should you desire to seek the consent of Congress, 37 U.S.C. § 908 allows for approval through your Service Secretary.

As a final point, my opinion as an agency ethics official concerning 18 U.S.C. § 207 does not have the same weight as an opinion authorized by statute, such procurement integrity laws (41 U.S.C. § 2103-4). The *Standards of Ethical Conduct for Employees of the Executive Branch* makes it clear that, although my opinion should be persuasive concerning statutes like 18 U.S.C. § 207, my opinion on this statute does not bind the Department of Justice.

I hope this information is helpful to you. This letter, issued under the authority of 5 C.F.R. §§ 2635.107 and 602(a)(2), is an advisory opinion of an agency ethics official based on the information that you provided.

Sincerely,

(b)(6)

A large rectangular gray box redacting the signature of the Deputy Legal Counsel.

Deputy Legal Counsel

(b)(6)

USARMY JS OCJCS (US)

**From:** (b)(6) (b)(6)@gmail.com>  
**Sent:** Thursday, January 05, 2012 12:48 PM  
**To:** (b)(6) JCS OCJCS LC  
**Subject:** Re: Safe Harbor Letter  
**Attachments:** DD2945 Signed.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sir

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Executive Assistant

JS/J8, DDR and DDFMAS

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--

(b)(6)

Personal Assistant,  
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(b)(6)

## POST-GOVERNMENT EMPLOYMENT ADVICE OPINION REQUEST

REPORT CONTROL  
SYMBOL  
DD-GC(AR)2412OMB No. 0704-0467  
OMB approval expires  
Apr 30, 2013

The public reporting burden for this collection of information is estimated to average 90 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155 (0704-0467). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION.

## PRIVACY ACT STATEMENT

AUTHORITY: 41 U.S.C. 423; 10 U.S.C. 1701 note; 5 C.F.R. 2635.107, Joint Ethics Regulation.

PRINCIPAL PURPOSE(S): To enable ethics counselors to render ethics advice to military and civilian employees leaving Government service.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to fully disclose information requested may result in receipt of incomplete advice or inability to provide written advice. This may result in a delay in being hired by a Department of Defense contractor or receipt of compensation from such contractor. Failure to comply may also result in the imposition of administrative penalties in accordance with section 27e of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e)).

## SECTION I - CONTACT INFORMATION

1. DOD AGENCY YOU WORKED OR ARE WORKING FOR (e.g., US Army, US Navy, etc.) US Marine Corps	2.a. FIRST NAME James	b. MIDDLE INITIAL E.	c. LAST NAME Cartwright
3. ADDRESS			
a. STREET 1 (b)(6)		b. STREET 2 (b)(6)	
c. CITY (b)(6)	d. STATE (b)(6)	e. ZIP/POS (b)(6)	f. COUNTRY US
4. TELEPHONE NUMBER (Include Area Code) (b)(6)		5. E-MAIL ADDRESS (b)(6)	
6. HOW DO YOU WANT TO RECEIVE YOUR OPINION (X one) <input checked="" type="checkbox"/> BY E-MAIL <input type="checkbox"/> BY POSTAL MAIL			

## SECTION II - SERVICE INFORMATION

7. EMPLOYEE STATUS AT TIME OF SEPARATION OR TERMINAL/TRANSITION LEAVE <input checked="" type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN	8. DOD ORGANIZATION Joint Staff	9. DOD SUPERVISOR'S NAME Secretary Robert Gates
10. REASON FOR SEPARATION <input checked="" type="checkbox"/> RETIREMENT <input type="checkbox"/> RESIGNATION <input type="checkbox"/> OTHER (Specify)		
11. SEPARATION/RETIREMENT DATE (MM/DD/YYYY) 09/01/2011	12. TERMINAL/TRANSITION LEAVE DATE (MM/DD/YYYY) 08/04/2011	
13. DO YOU PLAN TO WORK WHILE ON TERMINAL/TRANSITION LEAVE? <input type="checkbox"/> NO <input type="checkbox"/> YES	14. FOR CIVILIAN EMPLOYEES: DID YOU RETIRE FROM THE U.S. ARMED FORCES? <input type="checkbox"/> NO <input type="checkbox"/> YES	

## SECTION III - PRIOR ETHICS INFORMATION

15. PRIOR ETHICS ADVICE		
a. HAVE YOU RECEIVED ANY ETHICS ADVICE OR OPINION FROM ANOTHER GOVERNMENT ETHICS COUNSELOR CONCERNING YOUR PROSPECTIVE EMPLOYMENT? <input type="checkbox"/> NO PRIOR ADVICE RECEIVED <input checked="" type="checkbox"/> YES, PRIOR ADVICE RECEIVED (Complete b.)		
b. (1) ETHICS COUNSELOR'S NAME	(2) OFFICE CJCS Legal Office	(3) TELEPHONE NUMBER (b)(6)
16. FINANCIAL DISCLOSURE		
a. IN THE LAST 2 YEARS, HAVE YOU FILED A FINANCIAL DISCLOSURE REPORT? <input type="checkbox"/> NO <input type="checkbox"/> YES, OGE FORM 450 <input checked="" type="checkbox"/> YES, SF 278 (If you file a SF 278, you must file a termination report no later than 30 days after separation.)		
b. IF YES, POSITIONS FOR WHICH YOU FILED Vice Chairman, Joint Chiefs of Staff		



**SECTION III - PRIOR ETHICS INFORMATION (Continued)****17. CONFLICT OF INTEREST**

a. IN THE LAST 2 YEARS, HAVE YOU TAKEN ANY ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST, INCLUDING ISSUING A WRITTEN DISQUALIFICATION, CHANGING JOBS, HAD YOUR DUTIES CHANGED, OR TAKEN ANY OTHER ACTION TO RESOLVE A POTENTIAL CONFLICT OF INTEREST? ☒ NO ☐ YES

b. IF YES, PROVIDE DETAILS:

**18. ETHICS PLEDGE**

a. HAVE YOU SIGNED THE ETHICS PLEDGE? ☐ NO ☒ YES

b. IF YES, HAVE YOU RECEIVED A WAIVER OF THE RESTRICTIONS THAT APPLY UPON LEAVING THE GOVERNMENT?

☒ NO ☐ YES

c. IF YES, EXPLAIN THE EXTENT OF THE WAIVER:

d. IF NO, DO YOU ANTICIPATE WORK AS A LOBBYIST?

☐ NO ☐ YES

**19. LICENSED ATTORNEY: PLEASE INDICATE IF YOU ARE A LICENSED ATTORNEY, EVEN IF YOU ARE NOT EMPLOYED AS AN ATTORNEY BY DOD.**

☒ NO, I AM NOT A LICENSED ATTORNEY ☐ YES, I AM A LICENSED ATTORNEY

**SECTION IV - DOD POSITION INFORMATION**

**20. POSITIONS HELD AND MAJOR DUTIES: IN WHAT AGENCIES OR ORGANIZATIONS HAVE YOU SERVED DURING YOUR LAST 2 YEARS OF DEPARTMENT OF DEFENSE SERVICE?** (Provide dates (month and year). For each position, describe your job or briefly describe your major duties during the last 2 years, focusing on duties relating to defense contracts, any aspect of the acquisition process, such as requirements development, acting as program manager, deputy program manager or contracting officer, or otherwise involved in the contracting process. Identify names of projects, program, contractors and subcontractors.)

**a. CURRENT/MOST RECENT POSITION**

(1) ORGANIZATION OR AGENCY

Joint Staff

(2) JOB TITLE

Vice Chairman, Joint Chiefs of Staff

(3) DESCRIPTION

**b. PRIOR POSITION 1**

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION

**c. PRIOR POSITION 2**

(1) ORGANIZATION OR AGENCY

(2) JOB TITLE

(3) DESCRIPTION



# **SECTION IV - DOD POSITION INFORMATION (Continued)**

## **20. POSITIONS HELD AND MAJOR DUTIES (Continued)**

### **d. PRIOR POSITION 3**

(1) ORGANIZATION OR AGENCY (2) JOB TITLE

(3) DESCRIPTION

### **e. PRIOR POSITION 4**

(1) ORGANIZATION OR AGENCY (2) JOB TITLE

(3) DESCRIPTION

## **21. WITHIN THE LAST TWO YEARS, HAVE YOU SERVED IN ANY OF THE FOLLOWING POSITIONS OR PERSONALLY TAKEN ONE OF THE FOLLOWING ACTIONS REGARDING AN ACQUISITION OR CONTRACT IN EXCESS OF \$10 MILLION?**

a. CONTRACTING OFFICER OR SOURCE SELECTION AUTHORITY?

☒ NO ☐ YES

b. A MEMBER OF A SOURCE SELECTION EVALUATION BOARD, OR A CHIEF OF A FINANCIAL OR TECHNICAL EVALUATION TEAM?

☒ NO ☐ YES (If Yes, summarize your duties/responsibilities:)

c. PROGRAM MANAGER, DEPUTY PROGRAM MANAGER, OR ADMINISTRATIVE CONTRACTING OFFICER?

☒ NO ☐ YES (If Yes, summarize your duties/responsibilities:)

d. APPROVAL OF A CONTRACT, SUBCONTRACT, MODIFICATION, TASK ORDER OR DELIVERY ORDER, OR PAYMENT OF A CONTRACT CLAIM?

☒ NO ☐ YES

e. ESTABLISHING OVERHEAD OR OTHER RATES?

☒ NO ☐ YES

f. APPROVAL OF A CONTRACT PAYMENT?

☒ NO ☐ YES

g. IF YOU ANSWERED "YES" TO ANY OF THESE QUESTIONS, IDENTIFY THE CONTRACT(S) IN WHICH YOU PERFORMED THAT FUNCTION (List contract number(s), title(s) and date(s) of last action)

22.a. DO YOU HOLD A POSITION IN THE EXECUTIVE SERVICE, SENIOR EXECUTIVE SERVICE OR A GENERAL OR FLAG POSITION (Grade O7 and above - not frocked)?

☐ NO ☒ YES

b. DID YOU PARTICIPATE IN AN ACQUISITION WITH A VALUE IN EXCESS OF \$10 MILLION?

☒ NO ☐ YES

SECTION V - PROSPECTIVE EMPLOYER INFORMATION

23. POSITIONS SOUGHT: WITH WHOM ARE YOU SEEKING EMPLOYMENT?

Raytheon Company

24. ACTIONS TAKEN: WHAT ACTIONS HAVE YOU TAKEN CONCERNING YOUR FUTURE EMPLOYMENT?

Initial contact on potential opportunities

25. FUTURE JOB TITLE

a. JOB TITLE

b. JOB DESCRIPTION (Include information on how this may relate to your Government duties.)

26. START DATE: WHEN DO YOU PLAN TO START YOUR NEW EMPLOYMENT? (MM/DD/YYYY)

27. ADDITIONAL COMMENTS

I certify that the information provided on this form is true and accurate to the best of my knowledge.

28. PRINTED FULL NAME

James E. Cardwright

29. SIGNATURE



30. DATE SIGNED

22 Dec 2011