



August 21, 2025

Matthew R. Galeotti
Acting Assistant Attorney General

attn: Public Integrity Section
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

(sent via email criminal.division@usdoj.gov)

Dear Acting Assistant Attorney General Galeotti:

Campaign Legal Center (“CLC”) respectfully requests that the Department of Justice investigate whether former U.S. Representative Alexander Mooney (“Rep. Mooney”) violated federal law when he apparently lobbied current members of Congress on behalf of his two-person lobbying firm. Under 18 U.S.C. § 207(e)(1)(B), Rep. Mooney is barred for one year after leaving Congress from attempting to influence any member of Congress or congressional employee on behalf of any other person to take action in their official capacity.¹

Lobbying is an essential part of the government’s decision-making process. Lawful lobbying enables the public and other interested parties to express their opinions to their elected officials. However, it is unlawful for former members of Congress to lobby on behalf of clients immediately after leaving office because it exerts undue influence on their former colleagues and diminishes public trust in government.

¹ 18 U.S.C § 207(e)(1)(B).

Federal Law Prohibits Former Members of Congress from Influencing Sitting Members for One Year

For one year after leaving office, 18 U.S.C § 207(e)(1)(B) prohibits former members of Congress from “knowingly mak[ing], with the intent to influence, any communication to or appearance before [any Member, officer, or employee of either House of Congress] on behalf of any other person ... in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress, in his or her official capacity.”²

“Communication” is defined as “the act of imparting or transmitting information with the intent that the information be attributed to the former official.”³ An advisory memorandum from the Office of Government Ethics states that presence alone, “even without any explicit communication, may in many instances be construed as an attempt to influence the Government.”⁴

“The Attorney General may bring a civil action in the appropriate United States district court against any person who engages in conduct constituting an offense under [this law].”⁵

Former Representative Alexander Mooney Appears to Have Attempted to Influence Sitting Members of Congress Within a Year of Leaving Office

Rep. Mooney left office on January 3, 2025, and is barred from knowingly contacting members of Congress with intent to influence them until January 3, 2026. Shortly after his congressional tenure ended, he joined the lobbying firm Capitol South, LLC, where is he a “Senior Advisor.”⁶ Capitol South is registered under the Lobbyist Disclosure Act, with

² *Id.*

³ Memorandum from Committee on Ethics re: Negotiations for Future Employment and Restrictions on Post-Employment for House Staff 10-11 (Dec. 20, 2024), <https://ethics.house.gov/wp-content/uploads/2024/12/FINAL-Post-Employment-for-Staff.pdf>; “Communications” Under 18 U.S.C. § 207, 25 Op. O.L.C. 59, 62 (2001), http://www.justice.gov/sites/default/files/olc/opinions/2001/01/31/op-olc-v025-p0059_0.pdf.

⁴ U.S Office of Government Ethics, Legal Advisory 16-08: Introduction to the Primary Post-Government Employment Restrictions Applicable to Former Executive Branch Employees 6 (Sept. 23, 2016), [https://www.oge.gov/web/oge.nsf/0/F38156B03E4055EE852585BA005BEC54/\\$FILE/LA-16-08.pdf](https://www.oge.gov/web/oge.nsf/0/F38156B03E4055EE852585BA005BEC54/$FILE/LA-16-08.pdf).

⁵ 18 U.S.C. § 216(b).

⁶ “Team,” Capitol South, <https://www.capitolsouthllc.com/team>.

registration reports beginning in 2023.⁷ The only other listed employee of Capitol South is its cofounder Marty Irby, who is a registered lobbyist.⁸

On February 27, 2025, Rep. Mooney, along with his colleague Mr. Irby, spoke with the Christian Employers Alliance (“CEA”).⁹ The CEA president stated that Mooney and Mr. Irby would be “lobbyists representing Christian Employers Alliance on the Hill as [CEA] finalize[s] our legislative agenda.”¹⁰ The CEA president also explained that Rep. Mooney and Mr. Irby were “on the Hill and very busy today.”¹¹

On that call, Rep. Mooney himself seemed to identify as a lobbyist. He said that the “term lobbyist is not a bad word...we, you know, it’s a respectable line of work.”¹² He described a communication that he had a week prior with a Republican member of Congress about the federal budget, seemingly about strategy to move the budget bills through Congress. Specifically, he said, “There are other Republican members of Congress, I talked to one just last week, good friend of mine, I won’t say the name, and they were critical of the cuts... they said it’s cutting too much and too fast, so the holdup is over the cuts.”¹³

When confronted with questions about Rep. Mooney’s own assertions that he was meeting with current representatives about budget issues, Mr. Irby claimed that Rep. Mooney “never accompanied [him] to any Congressional meeting to speak to members or staff” because of the one-year prohibition and that Rep. Mooney was only consulting on strategy.¹⁴ Despite Mr. Irby’s claim, the publicly available evidence strongly suggests that Rep. Mooney established the three elements of a violation of 18 U.S.C. § 207.

⁷ Lobbying Disclosures for Capitol South, LLC, All Registrations and Quarterly Activity, https://lda.senate.gov/filings/public/filing/search/?registrant=%22capitol+south%22®istrant_country=®istrant_ppb_country=&client=&client_state=&client_country=&client_ppb_country=&lobbyist=&lobbyist_covered_position=&lobbyist_conviction_disclosure=&lobbyist_conviction_date_range_from=&lobbyist_conviction_date_range_to=&report_period=&report_year=&report_dt_posted_from=&report_dt_posted_to=&report_amount_reported_min=&report_amount_reported_max=&report_filing_uuid=&report_house_doc_id=&report_issue_area_description=&affiliated_organization=&affiliated_organization_country=&foreign_entity=&foreign_entity_country=&foreign_entity_ppb_country=&foreign_entity_ownership_percentage_min=&foreign_entity_ownership_percentage_max=&search=search

⁸ “Team,” Capitol South, *supra* note 6.

⁹ Judd Legum, *How a former Congressman is gaming the system*, Popular Information (Jul. 15, 2025), <https://popular.info/p/how-a-former-congressman-is-gaming>.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

1. Knowingly makes with the intent to influence any communication or appearance before any member, officer, or employee of Congress

First, there is reasonable basis to believe that Rep. Mooney knowingly communicated or appeared before members of Congress with the intent to influence them. DOJ has a broad interpretation of communication or appearance; merely because an activity does not constitute lobbying under the Lobbying Disclosure Act does not mean the activity is permissible under 18 U.S.C. § 207.¹⁵

Rep. Mooney seems to have knowingly communicated with at least one Republican member of Congress; he admitted to speaking to them about the federal budget. In addition, the CEA president knew Rep. Mooney was busy “on the Hill” the day of the call—the implication being that he was appearing in meetings with congressional offices.

Rep. Mooney appears to have been attempting to influence lawmakers in his professional capacity as an employee of Capitol South, a company dedicated to lobbying. Rep. Mooney’s role at Capitol South is listed as a Senior Advisor, not a lobbyist; but that distinction does not matter for purpose of 18 U.S.C. § 207. One need not be a registered lobbyist to have the intent to influence. Capitol South filed reports lobbying on behalf of multiple clients’ interests on the legislative agenda that Rep. Mooney was hired to assist with. These facts suggest that Rep. Mooney was intending to influence members of Congress to take action favorable to Capitol South’s lobbying clients.

2. On behalf of any other person

Second, the evidence indicates that Rep. Mooney was likely engaged in these communications on behalf of either Mr. Irby and Capitol South or one of Capitol South’s clients. It seems unlikely that a former member of Congress discussed federal budget-related issues for his own curiosity and appeared on the Hill with the cofounder of his lobbying firm merely for a social visit. Indeed, the president of one of Capitol South’s lobbying clients, CEA, indicated that Rep. Mooney and Mr. Irby “are our soon-to-be-lobbyists representing Christian Employers Alliance on the Hill.”¹⁶

Mr. Irby confirmed that he hired Mooney as “a consultant to our firm on issues related strictly to Agriculture and the Farm Bill, more specifically the EATS Act.”¹⁷ Lobbying reports show that Mr. Irby was lobbying members

¹⁵ Memorandum from Committee on Ethics, *supra* note 3, at 10.

¹⁶ Legum, *supra* note 9.

¹⁷ *Id.*

of Congress on these issues in the first quarter of 2025, when Rep. Mooney joined Capitol South.¹⁸ While Rep. Mooney is permitted under the law to provide behind-the-scenes assistance, such assistance cannot involve a communication to or an appearance before a current member of Congress.

3. In connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of Congress

Finally, Rep. Mooney's activities were in connection with matters where he was seeking legislative action. Based on the CEA's description of Rep. Mooney's imminent role lobbying on their behalf, the lobbying activities of Rep. Mooney's lobbying firm, and Rep. Mooney's description of his discussions with a member of Congress, it seems likely that he was seeking action by current members of Congress during meetings on Capitol Hill. An investigation is needed to gather additional information concerning these activities.

Conclusion

Rep. Mooney appears to have violated the one-year prohibition on former members attempting to influence sitting members on behalf of others. Within a few weeks of leaving office, he is one of two employees of a lobbying firm, and he openly communicates with potential lobbying clients and members of Congress about legislative matters. As a result, we ask that the Department of Justice review this matter and take appropriate action if Rep. Mooney violated 18 U.S.C. § 207.

Respectfully submitted,

_____/s/_____
Kedric L. Payne
General Counsel, Vice President, and
Sr. Director, Ethics

¹⁸ Lobbying Disclosures for Capitol South, LLC, First Quarter 2025, https://lda.senate.gov/filings/public/filing/search/?registrant=%22capitol+south%22®istrant_country=®istrant_ppb_country=&client=&client_state=&client_country=&client_ppb_country=&lobbyist=&lobbyist_covered_position=&lobbyist_conviction_disclosure=&lobbyist_conviction_date_range_from=&lobbyist_conviction_date_range_to=&report_period=first_quarter&report_year=2025&report_dt_posted_from=&report_dt_posted_to=&report_amount_reported_min=&report_amount_reported_max=&report_filing_uuid=&report_house_doc_id=&report_issue_area_description=&affiliated_organization=&affiliated_organization_country=&foreign_entity=&foreign_entity_country=&foreign_entity_ppb_country=&foreign_entity_ownership_percentage_min=&foreign_entity_ownership_percentage_max=&search=search#js_search_FormTitle.

_____/s/_____
Delaney Marsco
Director, Ethics