
Note: Disclosure of Procurement Information

If you have had access to certain sensitive procurement information, you may not disclose that information before the award of the contract to which the information relates (unless permitted by some other law).

If Your Government Work Has Related to International Negotiations

If you worked on certain trade or treaty negotiations during your last year of Government service and had access to certain restricted information, you should contact your agency ethics official because you may be barred for one year from aiding or advising anyone (other than the United States) concerning those negotiations.

If You Have Been a High-Level Government Official

Even if you have served in a high-level Government position, you generally may work for any employer -- including a foreign government -- after you leave Federal service. You are also free to contact any part of the Government solely on your own behalf -- by phone, by letter, or in person.

However, if you have served in a "senior" employee position, your future activities may be affected by restrictions in addition to the other restrictions discussed in this pamphlet. These additional restrictions last for one year from the date you leave your senior employee position and apply even if you aren't paid for your work. Specifically:

- ◆ You may not try to influence any department or agency in which you served during your last year of Government service, on behalf of anyone else (including a new employer), concerning any official matter -- even if you were never involved with the matter as a Government employee. (Some former senior employees, however, are allowed to contact certain components of their former department or agency.)

- ◆ You may not assist a foreign government or foreign political party in its attempt to influence a decision of any department or agency. You may also be prohibited from representing a foreign entity before Congress.

Your ethics official can determine whether you are a senior employee. In general, "senior" employees include Presidential appointees, flag officers, most members of the Senior Executive Service (and some high-level employees in similar pay systems), and private sector participants in the Information Technology Exchange Program.

Former "very senior" employees, such as cabinet officers, are also prohibited from contacting their former department or agency to seek official action on any matter. In addition, they are prohibited for one year from trying to influence current high-level officials at any other department or agency. As described above, very senior employees are also prohibited from assisting a foreign government or foreign political party in its attempt to influence any department or agency. Very senior employees also may be prohibited from representing a foreign entity before Congress.

If You Participated in the Information Technology Exchange Program

If you are an employee of a private sector organization and have been assigned to an agency under the Information Technology Exchange Program, you may not aid, counsel, or assist in representing anyone (other than the United States) concerning any contract with that agency. This restriction only lasts for one year after the end of your assignment.

Conclusion

This pamphlet is only a brief summary of the post-employment rules. For more guidance about your particular situation, contact your agency ethics official.

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RULES FOR THE ROAD



U.S. Office of Government Ethics

Introduction

As an executive branch employee, you have learned much about Government policies, programs, and personnel that could be of use to future employers. Even after you leave your Federal job, some of you may still be able to influence Government decisions.

This pamphlet briefly describes Federal laws that restrict what you can do after you leave Government service or when you leave certain Government positions. The laws address the types of activities that are most likely to cause the public to be concerned about the way the Government does its work.

Depending upon the nature of your Government job and what you plan to do in the future, some of these laws may not affect you. Or you may be affected by more than one restriction. Most of the laws do not apply to former military enlisted personnel. However, some of these laws apply even to individuals who worked for the Government only part-time.

In addition to the laws described in this pamphlet, you might also have to comply with rules that apply just to former employees of your agency. Also, if you have participated in a procurement or in the administration of a contract or had access to certain sensitive procurement information, some special restrictions or obligations may affect you. Finally, when you leave, you might agree to other limitations in exchange for a separation payment, or “buy-out.”

This pamphlet only summarizes the laws. It is not a substitute for counseling. If you have any questions, you should contact your agency ethics official.

Note: Seeking Future Employment

Although this pamphlet focuses on the laws that apply to post-Government activities, there are also laws that may affect you while you are looking for a job. For example, you may have to avoid working on certain official assignments while you are seeking or negotiating for a job. Ask an agency ethics official for advice before you take any steps toward getting a job with someone affected by matters that you are working on for the Government. Also, if you are participating in a procurement, you may have to file a written report if you contact or are contacted by a bidder or offeror about a possible job — even if you immediately reject any offer.

If You Want to Represent Others Before the Government

After you leave your Federal job, you generally may work for any employer. You also may contact any part of the Government solely on your own behalf — by phone, by letter, or in person.

You may not, however, try to influence any Federal agency or court on behalf of anyone else (including a new employer) concerning certain kinds of matters — like contracts, grants, or lawsuits — if you worked on those same matters during your Government service. You do not have to be a “lobbyist” to be affected by the law, and you may be affected even if you are working for a good cause or are not being paid for your work.

Unless you served in a “senior” or “very senior” employee position, you may try to persuade current Government employees to take action concerning matters in which neither you nor any of

your subordinates were involved. You may even be able to try to influence current employees about some of your old assignments that did not involve a “party” or “parties,” such as a regulation or legislation that you drafted.

The length of the restriction depends upon how you were involved in the matter while you still worked for the Government. If you were personally and substantially involved in the matter, then the restriction is permanent. If you merely supervised others who did the actual work, then the restriction lasts for two years from the date you leave Government service. The two-year restriction does not apply unless you supervised the matter during your last year of Federal service.

If You Want to Accept Compensation from an Employer that Represents Others Before the Government

After you leave your Federal job, you generally may work for any employer — even one that represents clients before the Government. You may not, however, share in profits that your new employer earned as a result of representing clients — in connection with certain kinds of matters — before any Federal department, agency, or court at a time when you were still a Government employee. The restriction may affect you even though you were never involved in the matter during your Federal service.

This restriction is most likely to affect former employees who join law, accounting, or public relations firms as partners. As time passes, the restriction is less likely to be an issue since firms will eventually collect past due accounts and distribute the related profits to those firm employees who may accept them.

If Your Government Work Has Related to Procurement

Even if you have participated in a procurement or in the administration of a contract, you may be able to work for a contractor that does business or seeks to do business with your former agency.

However, for one year you may not accept compensation from a contractor to serve as an employee, officer, director, or consultant if — while working for the Government — you had certain responsibilities or took certain actions relating to a large procurement involving that contractor. The bar against accepting compensation may apply to you whether you participated in the pre-award or post-award phase of the procurement.

For example, you may not accept compensation from a particular contractor if — in connection with a contract awarded to the contractor for more than \$10,000,000 — you served as the procuring contracting officer at the time of award, or as the program manager or administrative contracting officer for the contract. You also may not accept compensation from the contractor for one year if, for example, you approved a contract payment or payment of a claim to that contractor for more than \$10,000,000.

You may accept compensation from a division or affiliate of the contractor that does not produce the same or similar products or services as the entity responsible for the contract.