

A WORD ABOUT ETHICS RESTRICTIONS AFTER LEAVING FEDERAL SERVICE

Are there restrictions on a former employee after leaving Federal service?

- Yes. A former employee cannot represent anyone before a Federal agency or Federal court regarding:
 - any specific-party matter (see below) on which the employee worked or
 - for two years after leaving the Government, any specific-party matter on which a subordinate worked.

Are these the only restrictions?

- No. A former employee also cannot:
 - use protected nonpublic information,
 - receive payment for representational activities of others that took place during the period the former employee worked for the Government, or
 - testify on matters related to the former employee's Government work.

What is a "specific-party matter"?

- Any matter in which those involved are identified by name, such as a contract, grant, patent, law suit, or license.

What is "representing"?

- Communicating to a Federal official to influence Government action on behalf of someone other than one's self.

Are there any additional restrictions?

- Yes. In addition to the general restrictions on all employees:
 - *senior employees* (employees with base pay of \$155,440 or more per year) are barred for one year, or two years for political appointees, from representing anyone before their former agency and for one year from representing or advising a foreign government;
 - *political appointees* are also barred from contacting as a registered lobbyist any political appointee during the President's term;
 - *attorneys* are subject to bar rules;
 - *employees who received buy-outs* are subject to a 5-year bar on re-employment;
 - *procurement officials and project managers* are barred for one year from receiving payments from some contractors of a major procurement;
 - *EDA employees* are barred for 2 years from working for EDA grantees; and
 - *USPTO employees* are barred for one year from obtaining patent rights.

How may one obtain more information?

- By contacting the Ethics Law and Programs Division at 202-482-5384.

ETHICS LAW AND PROGRAMS DIVISION
OFFICE OF THE ASSISTANT GENERAL COUNSEL FOR ADMINISTRATION
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202-482-5384 – ethicsdivision@doc.gov – www.commerce.gov/ethics

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