ATZK-JAA 1 December 2005

FACT SHEET

SUBJECT: Summary of Post Government Employment Restrictions

1. General. Post government employment restrictions can be exceedingly complex. While this fact sheet furnishes an overview, it is by no means conclusive. Individual consultation and advice from your ethics counselor at the Administrative Law Division is available to Active Duty, Civilian and NAF employees to ensure that you steer clear of the legal pitfalls in this area as penalties can include fines, prison and/or forfeitures. In addition, DOD requires you have Post Government Employment information available as you leave federal service.

2. Post-Government Employment Restrictions.

a. Lifetime Ban – You may never represent anyone else before the Federal Government with the intent to influence the Government regarding a particular matter in which you participated personally and substantially. You may, however, work on the particular matter "behind the scenes" (i.e., without interaction or communication with the Government).

b. Two-Year Ban – You may not, for two years, represent anyone else before the Federal Government with the intent to influence the Government regarding a particular matter that was under your official responsibility during your last year of Government service. You may, however, work on that particular matter "behind the scenes" (i.e., without interaction or communication with the Government).

c. One-Year Cooling Off-Period – Applicable to all General Officers and Senior Executive Services. You may not, for one year, have any contact with the Army, with the intent to influence the Army. This prohibition is broader than the Lifetime and Two-Year Bans as it does not require that you have any prior participation or responsibility.

d. Procurement Integrity Act – You may not accept compensation from a contractor for one year after you personally made a decision to award a contract, task order or delivery order, or settle a claim, in excess of $10M. You may, however, work for a different division or an affiliate of that contractor that does not provide the same, or similar, products or services.

3. Negotiating for Employment. (18 USC§208, 41, USC§423)

a. If you are negotiating or have any arrangement concerning prospective employment with an organization or company you may not act as a representative of the Government in any manner involving financial interest of an organization or company. Negotiating includes any act which could be construed as a soliciting for employment.

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Anyone working on procurements over $100,000 must notify their supervisor and the ethics official before making employment contacts with a contractor or bidder on the procurement and either reject employment or disqualify himself from working on the procurement.

4. Contact an ethics counselor at the Fort Knox Office of The Staff Judge Advocate, Administrative Law Division if you have any questions at (502) 624-7414/4668.

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