

designated agency ethics official (SAF/GCA). You must also either reject the possibility of employment or disqualify yourself from further participation.

Former government officials are *banned for one year* following service from accepting compensation from a contractor if you meet the following criteria:

- \* You served as an award official at the time the contractor was selected or awarded for a contract exceeding \$ 10 million. Award officials include procuring contracting officers, source selection authorities, members of source selection evaluation boards, and chiefs of financial or technical evaluation teams.
- \* You worked on a contract exceeding \$10 million as an administrative official. Administrative officials include administrative contracting officers, program managers, and deputy program managers.
- \* You personally made a decision to award, subcontract, task order or delivery order over \$10 million; establish overhead or other rates in excess of \$10 million; approve issuance of contract payments in excess of \$10 million; or pay or settle a claim for more than \$10 million.

These restraints run for one year from the time you served in these capacities when the contractual action was taken, not from the time you leave government service.

#### Administrative Reminder:

Filers of SF278 Public Financial Disclosure must file a final report no later than 30 days after termination or retirement.

#### References:

18 USC § 207; 18 USC § 208; 5 CFR § 2635.107; 41 USC § 423



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If you need advice on a particular situation, please contact SAF/GCA to set up an appointment with one of the attorneys.

Phone: 703-693-0417

E-mail: [usaf.pentagon.saf-gc.mbx.SAF-GCA-Ethics-Workflow@mail.mil](mailto:usaf.pentagon.saf-gc.mbx.SAF-GCA-Ethics-Workflow@mail.mil)

Website: [www.safgc.hq.af.mil/organizations/gca/index.asp](http://www.safgc.hq.af.mil/organizations/gca/index.asp)



## POST-GOVERNMENT EMPLOYMENT

*"Service Before Self"*

# POST-GOVERNMENT EMPLOYMENT

If you are planning to leave the Air Force and find private employment, you will want to know how the federal ethics laws may affect you, both while looking for a job and after leaving the government. This discussion is intended to alert you generally to the applicable restrictions. For more complete and specific advice, you should attend a briefing or consult an ethics official as early as possible.

## Phase I: Looking for a Job

Your first focus should be on issues raised by the process of seeking future employment while still working in the Air Force. Under a criminal conflict of interest law, you cannot work in your government job on a matter that would affect the financial interest of someone with whom you are discussing possible employment. This can apply before employment discussions begin. Participation in some procurement matters can subject you to special additional requirements relating to private employment contacts (see “Procurement Integrity”). You must also be careful not to misuse government resources (such as official time, the services of other employees, equipment, supplies, and restricted information) in connection with job seeking. After you have accepted a job outside the government, you must continue to refrain from working on matters in your government job that would affect the financial interest of your prospective employer.

You may accept travel expenses from a prospective employer during the interview process if that is part of their normal hiring process. If the value of travel, meals, etc. paid by a prospective employer exceeds \$305 and you file a financial disclosure report you must include the details on your form.

Finally, while you are still looking for employment, you will want to familiarize yourself with the restrictions

that apply to future employment activities, as they may affect the focus of your job search.

## Phase II: After Accepting a New Job

The following brief overview highlights the limitations on employment activities after leaving executive branch service. Your ethics officials are available to provide more specific advice on these post-employment restrictions, both before and after you terminate government employment.

## Employment-Related Activities (18 U.S.C. 207)

Some parts of this criminal code apply to all former Air Force employees, while others restrict only former senior officials or those with specified duties.

### Permanent Restriction on Representing Particular Matters

After you leave government service, you may not represent someone else to the government regarding particular matters that you worked on while in government service. Please note that this is a lifetime ban.

**Particular Matters** involve deliberation, decision, or action that is focused on the interests of specific people, or an identifiable group or class of people. These may include a contract, claim, application, judicial or other proceeding, request for ruling or other determination, controversy, investigation, or charge. This term could also include legislation or policy-making that is narrowly focused on specific interest groups.

### Two Year Restriction on Particular Matters Under Official Responsibility

For two years after leaving government service, you may not represent someone else to the government on particular matters that you did not work on yourself, but were pending under your responsibility during your last year of service.

## One Year Restriction on Aiding or Advising

If you served as a senior employee during your last year of government service, you are restricted for one year from attempting to influence your former agency on anything, by communications or appearances, on behalf of someone other than yourself or the United States. Senior employees include people serving at Levels II-V of the Executive Schedule, employees earning \$148,953 or more, military officers O-7 and above, and some White House appointees. This restriction on making representational contacts extends to contacting any part of your former agency (i.e. the USAF) or a USAF member or employee regardless of where they may work.

Former senior employees are also subject to a one-year ban on assisting a foreign government or foreign political party with an intent to influence any executive branch employee.

## Additional Restrictions

- \* Military personnel on terminal leave may accept a civilian position in the United States government and receive pay and allowances for that position as well as their military pay and allowances. However, while on active duty military officers may not hold a “civil office” with a state or local government or run for political office.
- \* All former Air Force employees may forfeit military pay if compensated for work by a foreign government.
- \* You may not use non-public information to further your own private interests or your subsequent employer.

## Procurement Integrity

If you are participating in a procurement in excess of \$100,000 or are contacted by a bidder and receive an offer regarding employment, you must promptly report the contact to your supervisor and to the agency’s