

SAMPLE

Notice for Members of the Senior Executive Service (SES) and Other Individuals Who Will Become Subject to the One Year Post-Employment Restrictions in 18 U.S.C. § 207(c) Because the Individual's Rate of Basic Pay Is Equal to or Greater than 86.5 Percent of the Rate for Level II of the Executive Schedule (\$161,755 in January 2017):

Effective on January 8, 2017 [or the effective date of appointment or conversion to a senior position], you are subject to the post-employment conflict of interest restrictions as set forth in 18 U.S.C. § 207(c) because you serve in a "senior" position. A "senior" position for these purposes is one for which the rate of basic pay is equal to or greater than 86.5 percent of the rate for Level II of the Executive Schedule (\$161,755). Your rate of basic pay as a result of annual or other pay adjustments [or upon appointment or conversion] equals or exceeds the threshold.

The post-employment restrictions in section 207(c) require that for one year after service in a "senior" position ends, no former "senior" employee may knowingly make, with the intent to influence, any communication to or appearance before an employee of a department or agency in which he or she served in any capacity during the one-year period prior to ending service in that "senior" position, if that communication or appearance is made on behalf of any other person (except the United States), in connection with any matter concerning which he or she seeks official action by that employee. These post-employment restrictions will apply to you for one year after your service in a "senior" position as defined above ends.

These restrictions are in addition to, among other provisions, the permanent and two-year official responsibility prohibitions in 18 U.S.C. § 207(a)(1) and (2) that apply respectively to representational communications or appearances with respect to particular matters involving specific parties in which you participated personally and substantially at any time during your government service or that were under your supervision during your last year of government service.

Former government attorneys and public officials with a law license are subject to additional post-employment restrictions under State Rules of Professional Conduct. Political appointees are subject to additional post-employment pledge requirements under E.O. 13490.

You will be notified of any future changes in coverage under the post-employment restrictions that arise as a result of pay adjustments.

For additional information on post-employment restrictions, contact the Office of the General Counsel, Ethics Division, or the Deputy Ethics Counselor for your component for further guidance. The contact information is available at <http://www.hhs.gov/ogc/contact/contacts.html>.