

DEPARTING EMPLOYEE COUNSELING INTERVIEW CHECKLIST

Date _____

Name: _____

Position: _____

Next Employer: _____

☐ Is a Senior Employee

☐ Is **not** a Senior Employee

☐ If employee is a public financial disclosure (SF 278) filer, advised of requirement to file a termination report with 30 days of departure, unless extension has been granted.

☐ Advised that 18 U.S.C. 207(a)(1) permanent ban:

- (a) Prohibits communicating to any employee of a Federal agency or court
- (b) with intent to influence
- (c) regarding a particular matter involving specific party or parties
- (d) In which he/she participated personally and substantially as a Federal employee
- (e) and in which the U.S. is a party or has a direct substantial interest.

☐ Advised that 18 U.S.C. 207(a)(2) two-year ban:

- (a) Prohibits the same thing as 207(a) (1), but covers all matters actually pending under the employee's official responsibility
- (b) within the last year of Government service.

☐ Advised that 18 U.S. C. 207(b) one-year ban:

- (a) Prohibits knowingly representing or advising anyone other than the U.S.
- (b) regarding a trade or treaty negotiation
- (c) in which employee participated personally and substantially within last year of employment AND
- (d) about which employee obtained information exempt from disclosure under Freedom of Information Act.
- (e) on the basis of that information
- (f) for one year.

☐ **If Senior Employee**, advised that 18 U.S.C. 207(c) one-year ban:

- (a) Prohibits knowingly making an communication to or appearance before
- (b) an employee of the agency that you served in the last year
- (c) on behalf of another person
- (d) with the intent to influence the Government..

☐ **If Senior Employee**, advised that 18 U.S.C. 207(c) one-year ban:

- (a) Prohibits knowingly representing a foreign entity before an employee of any agency OR aiding or advising a foreign entity
- (b) with intent to influence the Government.

☐ Advised that 18 U.S. C. 208:

- (a) Prohibits participating personally and substantially
- (b) in a particular matter in which
- (c) to his knowledge,
- (d) an entity with which he is negotiating for employment or has an arrangement for future employment
- (e) has a financial interest
- (f) if the matter would affect that interest directly and predictably

☐ Advised that 18 U.S. C. 203:

- (a) Prohibits receiving or accepting any share of compensation
- (b) for representational services
- (c) render by self or another
- (d) before any agency
- (e) while he was an employee of the U.S.
- (f) in relation to any matter in which the U.S. is a party or has an interest.

☐ Advised regarding 8(b):

- (a) former employees
 - (b) for two years after leaving
 - (c) have to file a notice with the Secretary of the Commission
 - (d) of any proposed appearance before, or communication with, the Commission or its employees
 - (e) within 10 days of the communication
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PROVIDED COPIES OF THE FOLLOWING:

☐ OGE Memorandum Summarizing Post-Employment Restrictions (dated 7/29/04)

☐ "Post-Employment in a Nutshell"

☐ List of Securities and Exchange Commission's Ethics Officials

☐ Other _____

Ethics Official's Signature _____

Date _____