

SUMMARY OF MAJOR POST-EMPLOYMENT RESTRICTIONS
(18 U.S.C. 207; 5 C.F.R. PART 2641)

	<u>“Life-Time” Ban</u> (18 U.S.C. 207(a)(1); 5 C.F.R. 2641.201)	<u>2-Year Ban</u> (18 U.S.C. 207(a)(2); 5 C.F.R. 2641.202)	<u>1-Year Ban</u> (18 U.S.C. 207(c); 5 C.F.R. 2641.204)
Applies to	<u>Any</u> former NRC employee, including a former special Government employee (SGE)	<u>Any</u> former NRC <u>supervisor</u>	<u>Any</u> former senior employee, including a former SGE, who was paid at 86.5% or more of EX-II base pay*
Prohibited activity	May not knowingly, and with intent to influence, make any communication or appearance	SAME	SAME
To or before	Any employee of a U.S. department, agency, court, or court-martial	SAME	Any employee of the <u>NRC</u>
On Behalf Of	Anyone, other than the United States (e.g., on behalf of your new employer or client)	SAME	SAME (but there are some exceptions for State or local governments, universities, hospitals, or medical research organizations)
About what	Any particular matter involving a specific party (e.g. an application, contract, investigation, licensing proceeding, enforcement action, adjudication, etc.) in which the U.S. is a party or has a direct and substantial interest	SAME	Any NRC matter (specific or generic) in which the former senior employee is seeking official action
Prior involvement	In which the former employee participated personally and substantially while at the NRC	Which the former supervisor knows or should reasonably know was pending under his or her official responsibility within one year before leaving the NRC	Irrelevant – the one-year ban applicable to former senior officials applies to all NRC matters, regardless of that former employee’s previous involvement in the matter

*As of January 2018, this amount is **\$164,004, excluding** locality-based adjustments or bonuses/awards

NOTE: These restrictions are not exclusive of one another. Former NRC employees may be subject to multiple post-employment restrictions concurrently. For example, a departing non-SES supervisor will be subject to **both** the “lifetime” and 2-year supervisory ban for two years after leaving the NRC. A departing senior employee may be subject to all three bans for one year after leaving the NRC, depending on their rate of pay.

These three restrictions are the most common restrictions for departing NRC employees. This chart is not an exhaustive list of all applicable post-employment restrictions. For example, former senior NRC employees are also prohibited from knowingly representing, aiding, or advising, a foreign government or foreign political party for a period of time after leaving government service (18 U.S.C. 207(f); 5 C.F.R. 2641.206). For a complete list of 18 U.S.C. 207 post-employment restrictions, please refer to 5 C.F.R. Part 2641.

In addition to these restrictions, the **Procurement Integrity Act** also prohibits a former employee who served on a procurement that exceeded **\$10 million** in a certain position (such as contracting officer, program manager or source selection board member, or who made a decision to award a contract) from accepting any compensation from that contractor as an employee, officer, director, or consultant for **one year** after ceasing performance on that contract (41 U.S.C. 2104). **Under NRC procurement regulations**, NRC will not award a **noncompetitive** contract or task order to any former NRC employee within **two years** after leaving NRC, including any organization in which a former NRC employee has a dominant ownership or management interest (48 C.F.R. 2009.100).

If you have any questions please contact a deputy ethics counselor at Ethics.Resource@nrc.gov.