

## GUIDANCE FOR FIRSTNET BOARD MEMBERS ON RESTRICTIONS AFTER LEAVING FEDERAL SERVICE



### Restrictions after Leaving Federal Service

As a Board member of the First Responder Network Authority (FirstNet), you will be subject to some restrictions after leaving Federal service on (1) using Government information, (2) contacting the Government on behalf of others, and (3) receiving compensation from certain contractors.

After leaving Federal service you cannot:

- (1) use or disclose non-public information, including confidential procurement information;
- (2) communicate with:
  - (a) a Federal agency or Federal court on behalf of someone other than yourself with the intent to influence Government action regarding:
    - (i) a matter involving specific parties (such as a procurement) on which you worked personally and substantially or
    - (ii) a matter involving specific parties that was pending at FirstNet during the one-year period before you left the Board (in which case the restriction lasts for two years after leaving FirstNet), or
  - (b) for one year after leaving FirstNet, any official of the National Telecommunications and Information Administration (NTIA) or FirstNet on any matter with the intent to influence Government action (if you worked for more than 60 days during the one-year period before ending Government service); or
- (3) receive any compensation from a winning bidder on a procurement valued at \$10,000,000 or more for one year after your last action as a procurement official.

### Notice Requirements

If you are seeking employment outside of the Federal Government, you are required to

- provide written notice (if you are required to file an OGE Form 278), to an Ethics official within three business days of beginning any employment negotiation, that identifies the prospective employer and asserts that you will comply with the requirement that you disqualify yourself from participating in any matter as a Federal official affecting the financial interests of the prospective employer and
- notify an Ethics official and the NTIA Assistant (as your supervisor) if you contact, or are contacted by, a competing contractor on a procurement of greater than \$150,000 on which you worked as a procurement official the contractor (even if you decline to pursue discussions).

## GUIDANCE FOR FIRSTNET BOARD MEMBERS ON CONTACTING RESTRICTIONS AFTER LEAVING FEDERAL SERVICE



### **Contacting a Former FirstNet Board Member or Employee or Employee of Another Federal Agency**

Because Federal employees are subject to certain restrictions on their activities after leaving Federal service, you should be careful when communicating with a former employee that you do not engage in discussions that are barred by law.

**Bar on Representational Activities** – Former employees are barred from communicating with Federal employees with the intent to influence Government action regarding any specific-party matter (such as a procurement) on which they worked and, for two years, any specific-party matter that was under their official responsibility during their last year of Federal service. Thus, you should not discuss with a former employee who is employed by a company or organization with interests in FirstNet activities or who has clients with interests before FirstNet any contracts or other specific-party matters on which the former employee worked (or the former employee’s subordinates worked) when at FirstNet. In addition, because senior officials (those employed for more than 60 days with a base pay of \$158,554.50 or more) are subject to a “no-contact rule” that bars them from communicating with their former agency on any matter with the intent to influence Government action, you should limit your communications to only social events for persons who left FirstNet or NTIA during the past year if they are working for, or have clients that are, companies or organizations with interests before FirstNet.

**Confidentiality of Government Information** – A former employee is a member of the public and any information you provide to such person is a release of the information to the public. Therefore, you should be careful not to discuss information that has not been approved for release outside the Government. Furthermore, any documents you provide will likely become available to any member of the public upon request. If it is important to discuss such matters with a former employee, you should consider discussing with other FirstNet officials establishing a formal relationship between the individual and FirstNet, such as through a contract or consulting position.