



June 1, 2018  
LA-18-05

LEGAL ADVISORY

TO: Designated Agency Ethics Officials

FROM: David J. Apol  
Acting Director and General Counsel

SUBJECT: Annual Update of 18 U.S.C. § 207(c) Post-Employment Component Designations due to OGE by July 1, 2018

Upon a request made by an Executive branch agency, the Director of the U.S. Office of Government Ethics (OGE) may “determine[] that an agency or bureau within a department or agency...exercises functions which are distinct and separate from the remaining functions of the department or agency and that there exists no potential for use of undue influence or unfair advantage based on past Government service.” 18 U.S.C. § 207(h)(1). Based on this determination, OGE may designate such an agency or bureau as a separate department or agency for purposes of the post-employment restrictions applicable to “senior” employees at 18 U.S.C. § 207(c).

By July 1<sup>st</sup>, agencies that currently have components designated at [Appendix B of 5 C.F.R. part 2641](#) or wish to request new designations must confirm to OGE in writing that their current designations are acceptable or submit a request to modify the current Appendix B designations. Any request to modify the current list of component designations should be submitted according to the procedures set forth in 5 C.F.R. § 2641.302(e). OGE requires each agency headquarters to submit a single written response on behalf of all of its components. No reply is required from agencies that do not have component designations and do not wish to request them.

If you have any questions, please contact Kim Sikora Panza, Associate Counsel, at (202) 482-9300 or [klspanza@oge.gov](mailto:klspanza@oge.gov).

