

# **DEBRIEFING THE DEPARTING: BEST PRACTICES ON HOW TO DEBRIEF DEPARTING EMPLOYEES ON 18 U.S.C. § 207**

2014 OGE National Ethics Summit  
Midsize Agency Invitational Day  
September 18, 2014

# Summary of Restrictions

- ⦿ Prohibits representation before a Federal entity on behalf of anyone other than the U.S.
- ⦿ Does not restrict employment with any private/public employer, regardless of rank or position

# Debriefing the Departing Procedures



# Best Practices

## DO's:

- Train early and often
- Counsel early on seeking employment and post-employment
- Coordinate with HR
- Track departures
- Provide written guidance
- Provide in-person briefings
- Provide targeted/regularly scheduled briefings
- Be flexible
- Remind 278 filer of termination report
- Encourage post-employment contact with ethics office

## DON'Ts:

- Miss opportunities to educate
- Miss an opportunity to overhaul processes
- Limit advice to list of particular matters
- Assume the SES is subject to the 1 year cooling off period
- Fail to have a non-attorney read handouts/written guidance
- Automatically provide a questionnaire

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Thank you!