

## Ethics Guidance for Engaging with Former Federal Employees

The following guidance concerning departing and former federal employees helps to foster the Bureau's standard of exemplary integrity, safeguard confidential information, and protect the Bureau's decision-making process.

- **Protect supervisory, confidential, and non-public Bureau information.** As soon as a Bureau employee submits their paperwork to transition out of the Bureau, do not share any new supervisory, confidential, or non-public Bureau information with the employee. Such information should only be shared with current Bureau employees on a need-to-know basis; given the employee's imminent departure from the Bureau it is unlikely this sensitive information needs to be shared with the departing employee.
- **No preferential treatment for former federal employees.** Federal employees may not use their public office for the private gain of persons with whom the employee is affiliated in a nongovernmental capacity. Employees must not give any preferential treatment to a former federal employee or a former employee's new employer. Former federal employees must be treated in the same manner as all other members of the public who have business pending before the Bureau.
- **Report potentially unlawful communications by the former federal employee.** If a former employee communicates to or appears before the Bureau in connection with a specific-party matter the employee worked on while employed by the federal government, please immediately contact the Ethics Office.
- **Report any suspected disclosure of non-public or confidential Bureau information by the former employee.** If you believe that a former employee has disclosed any non-public or confidential Bureau information<sup>1</sup> to any person who is not a Bureau employee, please immediately contact the Bureau Service Desk and your immediate supervisor in accordance with the Bureau's Confidential Information Breach Response Directive.
- **Report any communication with the Bureau during former employees' first year.** If a former employee contacts the Bureau on behalf of any third party within the first year of the employee's departure, please immediately contact the Ethics Office. You should contact the Ethics Office regardless of whether the matter was pending before the Bureau when the former employee departed the Bureau or whether the former employee worked on the matter. The matter could include an Enforcement or Supervisory action, a rulemaking, Bureau policy decision, or something less formal like an invitation to speak at an industry conference.

Additional Guidance to Staff Regarding Former Attorneys<sup>2</sup>

- **Report behind-the-scenes assistance concerning any specific-party matter in which the former attorney participated.** If you learn that a former Bureau attorney is providing behind-the-scenes assistance on a specific-party matter in which the former attorney participated while at the Bureau, please immediately contact the Ethics Office. If you are not sure whether a former Bureau attorney participated in a specific-party matter while at the Bureau or if you have questions about a former Bureau attorney's work on a specific-party matter, you should contact the Ethics Office for guidance.

<sup>1</sup> Such information includes: confidential consumer complaint information, confidential investigative information (CII), confidential supervisory information (CSI), and other Bureau information that is exempt from FOIA disclosure (e.g., deliberative process privileged material, personal information, or confidential commercial or financial information).

<sup>2</sup> This section applies to former Bureau employees who were employed in an attorney (0905 series) position.