

Memorandum of Agreement

I , am presently being considered for the position of

in the .

Initial Review Process

I understand that the Department of Justice will review all of my pre-employment paperwork to determine my eligibility for an initial appointment not to exceed 14-months. I further understand that if your review uncovers any information of a derogatory nature that disqualifies me for this initial appointment, the Department of Justice may withdraw its tentative offer of employment. Moreover, I understand that I should not quit my current position, move, sell my home or make any other significant life changes in reliance on this tentative offer of employment until I receive notification that the Office of Attorney Recruitment and Management has approved my initial 14-month appointment.

In addition, if I am being considered for an Assistant United States Attorney position (AUSA), I understand that 28 U.S.C. § 545, requires that all AUSAs reside in the district for which he or she is appointed or within 25 miles thereof. This requirement does not hinge on “legal domicile or voting residence” but rather focuses on the “physical presence” of the official in the district, and, if I do not currently reside within the district, I am willing to relocate, at my own expense, upon notification that the Office of Attorney Recruitment and Management has approved my initial 14-month appointment and prior to entering on duty.

Appointment Not to Exceed 14-Months

Upon the successful completion of the initial review process, I will enter on duty on a 14-month appointment while a full-field background investigation is being conducted in connection with my application for permanent employment. I understand that, during this 14-month appointment, I will not have access to any National Security Information without a proper justification and compelling need to know determined by my employing office and approved by the Department Security Officer, or applicable Security Officer. Furthermore, I understand and agree that if my background investigation (including the IRS tax check), uncovers any information of a derogatory nature, that would disqualify me for permanent employment, I will resign and hereby waive any right that I may have to appeal the resignation to the Merit Systems Protection Board.

I also understand that conversion to a permanent appointment is subject not only to favorable adjudication of my completed full-field background investigation, but also to budgetary limitations, and satisfactory performance and conduct on my part during my initial 14-month appointment.

Finally, I understand that during this 14-month appointment, I will be placed in Tenure Group III, which will affect my retention order in the event of a Reduction in Force (RIF). See 5 C.F.R. § 351.502.

Name: _____

Date: _____