

Memorandum of Agreement

I _____, am presently being considered for the position of _____
in the _____.

I understand that the Department of Justice will review all of my pre-employment paperwork to determine my eligibility for an appointment not to exceed (NTE) 2 years. I further understand that if your review uncovers any information of a derogatory nature that disqualifies me for this 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 NTE 2 years 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.

I understand that a full-field background investigation is being conducted in connection with my application for employment. I further understand that, during this NTE 2 years 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 continued employment, I will resign and hereby waive any right that I may have to appeal the resignation to the Merit Systems Protection Board. Finally, I understand that during this 2 year 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: _____

OARM – 1B
February 2015