**Post Government Employment (PGE) Advice Decision Tool**

The purpose of the PGE Advice Decision Tool is to determine whether you require PGE advice, and if so, to identify the type of PGE advice you require at this time. Please note that the need for and the type of PGE advice you require may change over time depending on your responses to the questions below and your future plans. **For OSD personnel only,** please submit a completed copy of this tool to OSD.SOCO@mail.mil. Personnel served by other ethics offices should consult with their ethics officials. This tool is not a substitute for legal advice. If you have any questions, don’t hesitate to contact your local ethics official.

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| --- |
| **Name:** |
| **Title:**  |
| **Grade/Rank:** |
| **Office:** |
| **Anticipated Departure Date:** |

Are you a financial disclosure filer?

[ ]  I file an OGE 450 Confidential Financial Disclosure Report.

[ ]  I am detailed to OSD under the Intergovernmental Personnel Act (IPA).

[ ]  I file an OGE 278 Public Financial Disclosure Report.

[ ]  I do not file a Financial Disclosure Report.

1. Are you participating in the Deferred Resignation Program (DRP)?

• **YES** ☐ **STOP!**

Review SOCO’s DRP guidance (linked below) on the ethics rules that will continue to apply to you while you are participating in the DRP. In order to complete your out-processing requirements with SOCO, please send a completed copy of this tool and your final DRP agreement to **OSD.SOCO@mail.mil**. In the email, please let us know if you have questions for an attorney.

If you would like advice on any post-Government employment (PGE) rules that may apply to you *after your official resignation date,* please continue filling out this tool to determine whether you require a PGE brief at this time.

• **NO** ☐ (Continue to QUESTION B.)

1. Are you transferring to another Federal entity?

• **YES** [ ]

**Provide the name of the Federal entity you are transferring to:**

Please note that you do not need an ethics brief or a written PGE opinion at this time because you are not separating from Federal service or otherwise seeking non-Federal employment. Please refer back to this document if your plans change. (If you are an OGE 278 filer continue to QUESTION C; otherwise, **STOP**)

• **NO** [ ]  (Continue to QUESTION D.)

1. Does the position you accepted with the other Federal Agency require you to file an OGE 278 Public Financial Disclosure Report?

• **YES** [ ]   **STOP!**

Public Financial Disclosure filers do not need to file an OGE 278 Termination Report if they move between covered positions without a break of service in excess of 30 days; therefore, we will not assign you an OGE 278 Termination Report at this time. Please note that you have a duty to notify SOCO if your plans change and/or you will have more than a 30-day break in service before starting your new position. Any questions or requests for assistance may be directed to SOCO at 703-695-3422 or OSD.FINANCIALDISCLOSURE@MAIL.MIL.

**• NO** [ ]   **STOP!**

SOCO will assign you an OGE 278 Termination Report.

1. Are you permanently retiring with no plans for future employment AND no plans to communicate back to the Federal Government on behalf of any non-Federal entity, whether for pay or as a volunteer (e.g., a veterans’ service organization) AND no plans to work for a defense contractor?

• **YES** [ ]   **STOP!**

You do not need an ethics brief or a written PGE opinion at this time because you are not planning to engage in any activities that would potentially trigger PGE restrictions or requirements. Please refer back to this document if your plans change.

• **NO** [ ]  (Continue to QUESTION E.)

1. Are you planning on seeking non-Federal employment, but have not reached out to or been contacted by any prospective employers and do not expect to do so until after your last day of Federal service?

• **YES** [ ]   **STOP – For now…**

Since you will not be engaging in activities that qualify as “seeking” or “negotiating for” non-Federal employment during your Federal service, there are no immediate PGE ethics restrictions or requirements applicable to you at this time. However, once you receive at least a tentative offer of employment from any non-Federal entity, you should refer back to this document to determine if a PGE opinion is warranted. In the interim, you should familiarize yourself with applicable PGE restrictions by reviewing the appropriate PGE handout linked below.

If a PGE opinion is warranted and you have at least a tentative offer that you intend to accept, please complete the DD Form 2945 (linked below) and return it to OSD.SOCO@mail.mil with a completed copy of this tool. In the comment section of the 2945 provide detailed information about your previous DoD position, including full basic pay amount, and all Federal positions in the past five years. Also provide a copy of the job description for the position you are planning to accept. Once we’ve received your completed DD Form 2945 and this tool, a SOCO attorney will reach out to you within 14 business days to schedule a briefing. If you need to speak to an attorney sooner, please let us know and provide a brief explanation. Please note that written PGE opinions will not be provided unless you have at least a tentative job offer. If a prospective employer is requesting an “Ethics Letter” before they will discuss possible employment, you may provide them with the PGE Self-Certification Letter linked below.

• **NO** [ ]  (Continue to QUESTION F.)

1. Are you currently seeking non-Federal employment or planning to seek non-Federal employment before your last day of Federal service?

• **YES** [ ]   **STOP!**

**Complete the DD Form 2945 and return it to** **OSD.SOCO@mail.mil****with a completed copy of this tool.** In the comment section of the 2945, provide detailed information about your current assignment, including full basic pay amount, and all Federal positions in the past five years. If you have a prospective job offer, also provide a copy of the job description or announcement. Once we’ve received your completed DD Form 2945 and this tool, a SOCO attorney will reach out to you within 14 business days to schedule a briefing. If you need to speak to an attorney sooner, please let us know and provide a brief explanation. Please note that written PGE opinions will not be provided unless you have at least a tentative job offer. If a prospective employer is requesting an “Ethics Letter” before they will discuss possible employment, you may provide them with the PGE Self-Certification Letter linked below.

Review the Seeking Employment and Senior or Non-Senior PGE handouts linked below. If there is any actual or potential nexus between your duties and a prospective employer, then you may be required to execute a written disqualification statement and submit it to your supervisor with a copy to your ethics office. See Disqualification/STOCK ACT Templates linked below.

For Public Financial Disclosure (OGE 278) Filers, there is a statutory requirement under the Stop Trading on Congressional Knowledge (STOCK) Act to provide written notification to ethics counsel within three days of commencing negotiations for employment or completing an arrangement for employment with any non-Federal entity (regardless of whether that entity has any relationship to DoD or your duties). See sample Disqualification/STOCK ACT Templates linked below.

*•***NO**[ ]

If you still need advice, please send an email to OSD.SOCO@mail with a detailed description of your PGE-related question or issue.

**Links to Handouts**

**The following DRP handout is available on the SOCO website at:**

*<https://dodsoco.ogc.osd.mil/ETHICS-TOPICS/Other-Ethics-Topics/>*

* **Ethics Guidance for DoD Employees Participating in the OPM Deferred Resignation Program**

**The following seeking employment and PGE handouts are available on the SOCO website at:**[*https://dodsoco.ogc.osd.mil/ETHICS-TOPICS/Post-Government-Employment-and-Procurement-Integrity/*](https://dodsoco.ogc.osd.mil/ETHICS-TOPICS/Post-Government-Employment-and-Procurement-Integrity/)

* **Rules on Seeking Employment**
* **Model Disqualification and STOCK ACT Notification – Senior Personnel**
* **Model Disqualification and STOCK ACT Notification – Non-Senior Personnel**
* **Post-Government Employment & Procurement Integrity Restrictions - Senior** (*For all General and Flag Officers; Presidential Appointees confirmed with the advice and consent of the Senate (PAS); and civilian personnel whose rate of base pay is at or above 86.5% of the basic rate for Executive Schedule Level II during their last year of service ($195,231 in CY 2025))*
* **Post-Government Employment & Procurement Integrity Restrictions – Non-Senior** *(For Military Personnel E-1 through O-6 and Civilian Personnel whose rate of base pay is less than 86.5% of the rate for Executive Schedule Level II during their last year of service (less than $195,231 in CY 2025))*
* **PGE and 847 Self Certification**
* **Request for Post-Government Employment Opinion (DD Form 2945)**