**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:** |

1. Are you transferring to another Federal entity?

• **YES ** **STOP!**

*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.*

• **NO ** (Continue to QUESTION B.)

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 C.)

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 embedded 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 (embedded below) and return it to* *OSD.SOCO@mail.mil* *with a completed copy of this tool. 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, a SOCO attorney will reach out to you within 14 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 embedded below.*

• **NO**  (Continue to QUESTION D.)

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. 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, a SOCO attorney will reach out to you within 14 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 embedded below.*

*Review the Seeking Employment and Senior or Non-Senior PGE handouts embedded 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 sample Disqualification/Recusal Template embedded 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 Stock Act Notice embedded 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.*

**PGE Handouts and Templates**

**Seeking Employment Handout**

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**Senior PGE Handout** *(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 (above* ***$183,467*** *on or before January 13, 2024 AND/OR* ***$191,944*** *after January 13, 2024)*:



**Non-Senior PGE Handout** (*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* ***$183,467*** *on or before January 13, 2024 AND* ***$191,944*** *after January 13, 2024*):



**DD Form 2945 PGE Advice Opinion Request:**



**Sample Recusal/Disqualification Templates:**



**Sample STOCK Act Notice:**



**PGE Self-Certification Letter:**

