

**POST-GOVERNMENT EMPLOYMENT QUESTIONNAIRE  
FOR DEPARTING PERSONNEL  
DEPARTMENT OF THE ARMY – HEADQUARTERS/SECRETARIAT**

**Purpose:** Title 41 USC § 423, 48 C.F.R. § 3.104-6, and 5 C.F.R. § 2641.105 allow you to request a written agency ethics opinion on the applicability of post-Government employment restrictions under 41 USC § 423 and other statutes, such as 18 U.S.C. § 207. **Additionally, the National Defense Authorization Act for FY 2008, P.L. 110-184, § 847, imposes a requirement for certain personnel to obtain an ethics opinion before they may receive compensation from a defense contractor.**

The purpose of this questionnaire is to help you provide your ethics counselor complete and accurate information needed for the opinion. It is vital because your Government activities will determine what restrictions, if any, will apply to you as a former employee. If the information provided is incomplete or false, or if you fail to follow your ethics counselor's advice, you will not be immune from criminal prosecution or you may be subject to penalties imposed by the Procurement Integrity Act.

Please type or print legibly. Spell out and explain all acronyms and/or technical information, including but not limited to program names, projects, or definitions.

**Who to Contact for Ethics Advice:** Within Secretariat, DA, the Deputy General Counsel (Ethics & Fiscal) and his staff are responsible for providing ethics advice and support to the Army Secretariat. Supporting ethics counselors may be reached at [OGCWebmaster@hqda.army.mil](mailto:OGCWebmaster@hqda.army.mil) or at 703-695-4296. The Office of The Judge Advocate General provides ethics advice and support to the Army Staff and its supporting ethics counselors may be reached at 703-588-6783. Submit the Questionnaire to the Ethics Counselor at your last duty assignment.

**IT MAY TAKE 30 DAYS TO ISSUE AN ADVISORY OPINION. THE 30 DAY PERIOD DOES NOT BEGIN UNTIL YOU SUBMIT ALL INFORMATION REQUIRED BY THE ETHICS COUNSELOR. IF YOUR EMPLOYMENT CIRCUMSTANCES CHANGE, YOU MUST CONSULT YOUR ETHICS COUNSELOR FOR AN UPDATED OPINION.**

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Privacy Act of 1974 (5 USC 552(a)(7)), 41 USC 423, 5 CFR 2641.105 and AR 340-21

**PRINCIPAL USES:** To enable ethics counselors to render advice to military members and civilian employees leaving government service.

**ROUTINE USES:** Information provided is not confidential. **The Ethics Counselor is providing this advice in an official capacity, acting on behalf of the United States, and not as your representative. There is no attorney/client relationship or privilege established between the Ethics Counselor and the individual, and the Ethics Counselor may not act as an attorney on behalf of anyone submitting this information.** The information will be used to provide written ethics advice and will be retained for six years. It will be available to ethics counselors, finance personnel, and other appropriate personnel responsible for compliance with post-government employment restrictions.

**DISCLOSURE:** Voluntary. No criminal, civil or other penalties will follow from refusal to provide requested information. Failure to fully disclose requested information, however, could result in receipt of incomplete advice or the inability to provide written ethics advice pursuant to 41 USC 423, 5 CFR 2641.105, of DoD 5500.7-R, Joint Ethics Regulation, ¶ 9-500.



**NOTE:** In addition to the Questionnaire, you must submit a position description or OER support form of your current duties and any other duties that you performed in the last year. You must also submit copies of all disqualification memoranda, your last financial disclosure report if you are a filer, and any prior ethics advice that you may have received, including pertinent emails. Finally, submit any resume you have prepared for prospective post-Government employment.

1. CONTACT INFORMATION.

a. Name: \_\_\_\_\_

b. Office Phone: \_\_\_\_\_

c. Office Address: \_\_\_\_\_

d. Office Email: \_\_\_\_\_

e. Home/Mobile Phone: \_\_\_\_\_

f. Home Address: \_\_\_\_\_

\_\_\_\_\_

g. Personal Email: \_\_\_\_\_

h. Agency/Service and Civilian/Military Grade/Rank: \_\_\_\_\_

i. Reason for Separation: RETIREMENT  RESIGNATION  OTHER

j. Separation/Retirement Date: \_\_\_\_\_

k. If military and taking Terminal/Transition Leave, date you start leave: \_\_\_\_\_

l. If military and taking permissive TDY, date you start leave: \_\_\_\_\_

m. Did you previously retire from a military service? Yes  No  If so, which Service and when?

\_\_\_\_\_

n. If you request a written opinion, where do you want the opinion sent?

Office Address  Office Email  Home Address  Home Email

2. PRIOR ETHICS ADVICE. Did you receive any personal ethics advice or opinion from another Government ethics counselor concerning your prospective employment? NO  If yes, please provide the name, office, and telephone number of the ethics counselor.

If you did receive prior advice, please provide details.

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3. FINANCIAL DISCLOSURE.

a. In the last 2 years, have you filed a Financial Disclosure Report?

No  Yes, OGE Form 450  Yes, SF 278\*

b. If yes, list position(s) for which you filed: \_\_\_\_\_

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**\*If you file a SF 278, you must file a termination report no later than 30 days after separation.**

4. CONFLICTS OF INTEREST. In the last 2 years, have you taken any action to resolve a potential conflict of interest, including issuing a written disqualification, changing jobs, changing your duties, or taking any other action to resolve a potential conflict of interest? YES  NO  You are also disqualified from participating in any official action that may affect any entity with whom you are seeking post-Government employment. If yes, provide details and a **copy of any Notices of Disqualification**, including those for seeking employment. Use a separate/continuation page if necessary.

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5. POSITIONS HELD AND MAJOR DUTIES.

A. Provide dates (months and years) for each agency or organization in which you served during your last 2 years of Government service. For each position, **attach your position description(s) or OER support forms** and briefly describe your major duties and projects, including duties relating to defense contracts, any aspect of the acquisition process (such as acting as a contracting officer or requirements development), program management, or otherwise involving acquisition or program management. Identify names of projects, programs, contractors and subcontractors. Please describe your work, and separately identify work performed by personnel under your official responsibility, related to any company with which you are or may be seeking employment, including support contractors. Please indicate if you are a licensed attorney, even if you are not employed as an attorney by DoD. Use additional/continuation sheets if required.

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B. Were you involved in any trade or treaty negotiations? YES  NO  If yes, explain:

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6. POSITIONS SOUGHT.

A. With whom are you seeking employment? Please indicate if they have DoD contracts.

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B. What types of positions are you seeking?

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C. Do you anticipate working for a lobbying firm, law firm, or consulting firm that represents non-Federal entities before the Federal government.? Yes  No

D. Are you seeking employment with a foreign government, or with an entity that is owned, operated, or controlled by a foreign government? Yes  No  Briefly describe.

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E. ACTIONS TAKEN. What actions have you taken concerning your future employment?

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F. Have you sent out a resume? Yes  No  Please **provide a copy**.

**Military officers may not work while on permissive TDY. They may not work as a contractor employee at a Government workplace or in any other representational capacity while on transition leave.** Military officers on transition leave may begin work with the contractor, but only "behind the scenes" at a contractor office or otherwise away from the Government workplace. While on active duty (including transition leave) military officers are prohibited from holding a "civil office" with a state or local government.

7. FUTURE JOB DESCRIPTION.

A. If you have accepted a job, what is your proposed job title and description of duties? (Please attach a job description).

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B. START DATE. When do you plan to start your new employment? \_\_\_\_\_

C. Does your future employer have contracts with DoD? Yes  No

8. COMPENSATION BAN - PROCUREMENT INTEGRITY

A. Within the last year, did you have any of the following responsibilities on a procurement or contract over \$10,000,000.00:

- (1) Program or Deputy Program Manager? YES  NO
- (2) Administrative Contracting Officer? YES  NO
- (3) Procuring contracting officer or source selection authority? YES  NO
- (4) Member of a source selection evaluation board or other similar group? YES  NO
- (5) Chief of a financial or technical evaluation team? YES  NO

B. Within the last year, did you personally make any of the following decisions valued over \$10,000,000.00 regarding a contract:

- (1) To award a contract, subcontract, modification of a contract or subcontract, task order, or delivery order? YES  NO
- (2) To establish overhead or other rates? YES  NO
- (3) To approve issuance of a contract payment? YES  NO
- (4) To pay or settle a claim? YES  NO

C. If you answered “yes” to any of the questions above, identify the contract, subcontract, modification, delivery order, or task order, and list the date when you last had the responsibility or when you last made the decision, and explain.

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D. Have you participated, or are you now participating, in an on-going competitive procurement that has not yet been awarded? YES  NO

E. If the answer to the above is yes, do you intend to seek employment with one of the bidders or offerors? YES  NO

9. COMPENSATION RESTRICTION – SECTION 847.

A. Are you a General or Flag Officer, a PAS official, or a member of the Senior Executive Service? YES  NO

If Yes, are you participating in an acquisition valued over \$10 million? YES  NO

B. Do you anticipate receiving compensation from a defense contractor within two years of leaving DoD service? YES  NO

C. If you answered Yes to A & B, above, please list the acquisition(s) and describe your activities with regard to them.

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D. For all personnel, did you check any of the Yes boxes in 8., above? YES  NO



If you are seeking an ethics opinion under section 847 of the National Defense Authorization Act, you must submit a list of all procurements in which you were involved and an explanation as to your role. You must also submit an explanation and position description of the duties that you will perform for your prospective employer.

10. ETHICS PLEDGE.

A. Have you signed the Ethics Pledge? YES  NO

B. If Yes, have you received a waiver of the restrictions that apply upon leaving the Government?  
YES  NO  If yes, please explain the extent of the waiver.

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C. If No, do you anticipate that a prospective employer is a registered lobbyist? YES  NO

11. REQUEST. I request an ethics opinion based on the information in this Questionnaire and any continuation sheets and attachments. I certify the information to be true and correct to the best of my knowledge and belief. YES  NO

Signed \_\_\_\_\_ Dated \_\_\_\_\_

