



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

NOV 02 2016

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Mandatory Department of Defense-Wide Use of the After Government Employment Advice Repository (AGEAR) System-Submitting Requests for Opinion Letters

As mandated by Section 847 of the National Defense Authorization Act for Fiscal Year 2008, Public Law No. 110-181 ("Section 847"), the Department of Defense (DoD) is required to retain written requests from, and the applicable written opinions for, designated current and former DoD personnel ("covered officials") regarding the applicability of post-Government employment restrictions to activities that they may undertake on behalf of a DoD contractor. "Covered officials," as defined in paragraph (c) of Section 847, are required to obtain a post-Government ethics opinion letter from a DoD ethics official, if within two years after leaving the DoD the covered official expects to receive compensation from a DoD contractor.

The AGEAR system, a secure web-based application developed by the Army Office of General Counsel, meets this requirement to capture and store requests and opinions. Although retaining requests and opinions in AGEAR has been mandatory since September 2011, use of the system to document initial submission of requests has varied among the DoD Components.

Effective immediately, all covered officials required to receive opinion letters under Section 847 must submit requests for this advice with the necessary information through the AGEAR system in order to ensure universal compliance with the retention requirement. Ethics officials will decline requests submitted outside the system and direct covered officials to the AGEAR system to properly initiate their requests. Qualifying Section 847 requests, opinion letters, and supporting documents will be retained in the AGEAR system for a period not less than six years.

For questions related to this requirement or the AGEAR system, please contact your Component ethics official.



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