

Receiving gifts from outside sources

Starting from an early age, most of us have always heard, “Don’t do this,” or “Don’t do that.” Members of the US Military are required to follow numerous Standards of Conduct and ethics rules. Receiving gifts from outside sources is a subject in the USAF that often confuses both military and civilian employees in its application, scope, and rules.

As discussed in a previous article, DoD employees shall not solicit or accept, directly or indirectly, a gift from a prohibited source or given because of the employee's official position. Code of Federal Regulations (CFR), Title 5, Section 2635.202(a). Within that general rule, the term "gift" is broadly defined and includes basically any item with monetary value.

Although broad on its surface, the definition of gift excludes many common items that you can accept without worry. For example, what if a contractor offers you a donut and coffee? Would you have to deprive yourself of such palatable pastries and human-grade JP-8? Fear not - coffee, donuts, and similar items not offered as part of a meal are not “gifts” and may be accepted. Although not official, but as a rule of thumb, if you would have to normally cook it to consume it, then you may want to take precautions, including talking to the 19 AW/JA ethics counselor. In addition to the items above, items not considered gifts include greeting cards and other items with little intrinsic value, such as plaques, certificates, and trophies, which are intended solely for presentation. If it only has sentimental or display value to you, odds are it is within the exclusion. However, if you could potentially make money selling it, the item likely isn't within the exclusion and you should consult your ethics counselor.

Next, we'll talk about benefits, opportunities, and contests open to the general public. For another example, let's say you find yourself at a local carnival and your strong arms (developed from all your USAF physical training) win a stuffed animal, but the group putting on the carnival is a prohibited source. It is perfectly fine to keep the gift as long as the contest was open to the general public. Furthermore, military / government discounts, benefits, or opportunities do not count as “gifts,” so long as they are available to all uniformed military members or all federal government employees. Similarly, discounts and benefits available to the general public do not count as “gifts.”

Although we have talked about only a few common exclusions that let you receive and keep gifts from outside sources, there are many others that you can learn about if you check out the ethics rules available at www.dod.mil/dodgc/defense_ethics/. Rules regarding gifts from outside sources can be quite complex and restrictive at first glance, but there are multiple exclusions that make life easier for us as Air Force military and civilian employees. In the future, we will discuss common gift exceptions that also let you receive and keep gifts from outside sources.

If you have any questions regarding gifts from outside sources, please visit the Little Rock AFB Legal Office located at 1250 Thomas Avenue, Suite 222, or call (501) 987-7886.