

INFORMATION PAPER

MCCS-BJA-AL
19 April 2000

SUBJECT: Gifts On Special Infrequent Occasions

1. **PURPOSE:** To summarize the Standards of Ethical Conduct and Joint Ethics Regulation rules concerning gifts between employees on special infrequent occasions.

2. **FACTS:**

a. General Rule. On special infrequent occasions, subordinates may give a gift to a superior "appropriate to the occasion."

b. Special infrequent occasions include occasions of personal significance such as marriage, illness, birth or adoption of a child, promotion (as long as the employee is being transferred out of the chain of command), and occasions that terminate the subordinate-official relationship, such as retirement, resignation, or transfer.

c. The value of the gift(s) from each donating group should not exceed \$300.00 in aggregate value. While different donating groups may each give a gift up to \$300.00 in value, donating groups may not pool their resources to purchase parts of a larger gift such as, but not limited to, the following: individual or separate place settings for a china set, individual or separate golf clubs to make a complete set, or having one group purchase a picture while another group purchases the frame.

d. In determining whether a particular donating group is appropriate, the decision of the Ethics Counselor is final.

e. The cost of food, refreshments, and entertainment provided to the DOD employee and his personal guests to mark the occasion for which the gift is given shall not be included in determining whether the value of a gift or gifts exceeds the \$300 aggregate limit. A voluntary contribution of a nominal amount for food, refreshments, and entertainment for the event may be solicited as a separate voluntary contribution.

f. A gift to an employee's spouse is considered a gift to the employee, therefore the value of such a gift must be added to the value of the employee's gift in applying the \$300.00 limitation.

g. An employee may not contribute as part of more than one donating group. If he or she does, the different groups become one donating group where the aggregated value of all gifts may not exceed \$300.00.

h. Voluntary contributions of a nominal amount (may not exceed \$10.00) may be solicited. While more than \$10.00 may not be solicited, an individual may offer to contribute more. A solicited individual may decline to contribute.

i. To avoid improper pressure, no one should keep a list of contributors, and preferably, the collection should be handled by someone junior in the organization.

j. If you have questions concerning these rules, contact the AMEDDC&S and Fort Sam Houston Ethics Counselor in the Office of the Staff Judge Advocate at 221-2373.

3. Know the rules to avoid embarrassing the proposed recipient and the gift giver(s) and to avoid the need to report Standards of Conduct violations to Headquarters, Department of the Army.

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