



Dragon Legal Digest

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Gift Guide

Change of duty station season is upon us, and as you all know, that means it is time for going away and retirement gifts! Here are some guidelines about what qualifies as a gift, how much a gift can cost, and when you can accept a gift.

What's a Gift?

What counts as a gift?

Gifts are any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It also includes services, like training, transportation, local travel, and lodgings and meals, whether they're provided in kind, by ticket, payment in advance, or reimbursement.

What doesn't count as a gift?

- Coffee, donuts and similar modest items of food and refreshments when they're not part of a meal.
- Greeting cards and items of little intrinsic value (plaques, certificates, etc.).
- Rewards and prizes in contests open to the public.
- Commercial discounts available to the public or to all government or military personnel. It does NOT apply to any discounts based on rank or position.

General Rules About Gift Acceptance

You can accept:

- Gifts of \$20 or less (and no more than \$50 worth of gifts from any one source per year).
- Gifts based on a personal relationship.

Bottom line: Always ask yourself — would accepting this gift undermine, or appear to undermine, government integrity?

Retirement and Going Away Gifts

There are lots of rules about when you can and cannot accept or give a gift to another employee. Here are the basics you need to know as PCS season rolls around:

General rule: Basically, you **cannot**:

- Give a gift or make a donation toward a gift for a superior; OR
- Solicit a contribution from another employee for a gift for a superior, AND
- Superiors cannot accept a gift from lower-paid employees (unless a personal relationship exists).

Relevant Exception: Given on infrequent occasions, such as PCS or retirement, more valuable gifts can be given! However, even these gifts have limitations:

- Such gifts must be limited to \$300 in value for the whole donating group (everyone contributing to the gift).
 - No one may be asked to donate more than \$10 toward the gift, **but** people may donate as much as they would like toward the gift on their own if they volunteer to do so.

For example, if Maj. Snuffy, as the director of operations, would like to donate \$50 toward the retirement of his squadron commander, that is fine as long as no one asks him for more than \$10.

Bottom line: Different rules apply for PCS and retirement, but limitations **DO** exist!

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