



# Meet & Greet with Mountain Home AFB



## ETHICS

By

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## Office of Government Ethics & Joint Ethics Regulation

- Office of Government Ethics (OGE)
  - Established in 1978
  - Result of Watergate
  - Foster high ethical standards for executive branch employees
  - Strengthens public's confidence that govt's business is conducted with impartiality and integrity
  - Promulgated Standards of Ethical Conduct for Employees of Executive Branch
  - Allows some federal agencies to supplement
- Joint Ethics Regulation (JER)
- Promulgated by DOD

Why are we concerned with ethical rules?

**TAXPAYER DOLLARS!!!**



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## Who is our client?





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## Ethics Rules

- Results of application are fact specific
- Can be a complicated area of law
- Are often not intuitive
- Sometimes appear to be arbitrary
- Are not to be confused with morals
  - Typical violators are not bad people with evil motives



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## Gifts from Outside Sources

- Military Members and their spouses may not solicit or accept a *gift* given because of the military member's *official position* or from a *prohibited source*. This includes gifts to spouse, sibling, child, dependent relative, given because of that person's relationship to the employee.



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## What is a Gift?

- *Almost anything of monetary value...*
  - Cash
  - Meals
  - Paperweights
  - Trips
  - Tickets to concerts, sporting events, etc.
  - Transportation
  - Lodging





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## General Rule

Government employees, and their spouses, may not solicit or accept a gift given because of the military member's official position or from a prohibited source



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## “Official Position”

- “Official Position” Test—Gift would not have been solicited, offered, or given had the employee not held the status, authority, or duties associated with his position
- Test is NOT whether the offeror has an intent to influence a decision of the govt employee



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## “Prohibited Source”

- A person or organization that:
  - Seeks official action by your agency
  - Does business or seeks to do business by your agency
  - Has activities that are regulated by your agency
  - Has interests that might be affected by you when you are doing your job



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## Common Exceptions to the Gift Rule

- \$20/\$50 Rule---Allows an employee to accept gifts of \$20 or less on a single occasion, with no more than an aggregate of \$50 per year per source
  - No “buy-downs”
  - Can pay the “fair market value” of the gift (retail cost, face value...)



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## Common Exceptions to the Gift Rule

- Family and Friends exception. Gifts clearly motivated by a personal relationship are an exception to the General Prohibition on Gifts From Outside Sources
  - Relevant factors
    - History of the Relationship
    - Whether the Family member/friend personally paid for the gift



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## Common Exceptions to the Gift Rule

Remember, the appearance of impropriety can cause serious problems, and it is never wrong to politely decline a gift



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## Common Exceptions to the Gift Rule

- Widely Attended Gathering Exception: Gifts of free attendance for events hosted by private sector and other sponsors that do business with the employee's agency
  - Strict criteria
    - Agency determination will benefit agency programs & operations
    - Source of the invitation, and whether that person has interests that will be substantially affected by performance of employee duties
    - Market value of gift of free attendance
    - Number and identity of participants expected to attend
    - **Does not permit acceptance of lodging or travel**