

STATE OF CALIFORNIA
OFFICE OF THE ADJUTANT GENERAL
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CAL ARNG Regulation
No. 600-50
CA ANG Regulation
No. 30-30

15 April 1992

Personnel - General
Personnel
GIFTS AND GRATUITIES

1. **PURPOSE.** To provide guidance to all personnel affiliated with the Military Department on the boundaries of proper conduct in matters dealing with the giving and receiving of gifts or gratuities.
2. **SCOPE.** This regulation as well as DOD Directive 5500.7, AR 600-50, and AFR 30-30 provide guidance on proper conduct in the area of giving and receiving gifts, soliciting funds for such purposes, and whether or not accepting gratuities is permissible.
3. **APPLICABILITY.** This regulation applies to all California Army and Air National Guard personnel, State Military Department employees, and State Military Reserve members. (For convenience, all of the above will hereafter be referred to as "personnel.")
4. **RESPONSIBILITY.** All personnel are expected to conduct themselves in accordance with the policy and guidelines contained herein. The Department's Ethics Counselor will provide interpretations and guidance to personnel on specific matters.
5. **POLICY.**
 - a. Gifts
 - (1) Personnel covered by this regulation must not solicit contributions from other personnel for a gift to an official superior, make a gift or donation to an official superior or accept a gift or donation from subordinate personnel. This prohibition also applies to immediate family members of an official superior.
 - (2) The above restriction does not apply to truly voluntary gifts or contributions of nominal value (or acceptance thereof) on special occasions such as marriage, illness, transfer, or retirement, provided such gifts are of a reasonable value under the circumstances and primarily of a sentimental nature. (As of this date, National Guard Bureau considers \$180 a reasonable limit. This figure will be adjusted periodically to reflect cost-of-living increases.) Individuals and closely-related units should not combine separate gifts of an aggregate set, the total value of which exceeds the reasonable limit, e.g., dinnerware set.
 - (3) Government property, facilities, or labor may not be used in making gifts for government personnel or their dependents.

15 April 1992

b. Gratuities.

(1) As a general policy, personnel or members of their immediate families who accept gratuities, no matter how innocently tendered or received, from those who conduct or seek business with the Department of Defense, National Guard, or State of California may:

- (a) Be a source of embarrassment to the Military Department,
- (b) Affect the impartial judgment of the personnel involved, and
- (c) Reduce public confidence in the integrity of government.

(2) General prohibition. Personnel may not accept gratuities from others for the performance of their duties. Moreover, gifts or gratuities from nongovernmental sources, including private associations, may not be accepted, directly or through family members, if the source of the gift:

(a) Is engaged in or seeks to do business or financial relations with the State of California, Department of Defense, or National Guard,

(b) Conducts operations or activities regulated by the State, Department of Defense, or National Guard,

(c) Has interests that may be substantially affected by the performance or nonperformance of the official duties of personnel, or

(d) Is a foreign government selling to the United States.

(3) Limited Exceptions. The general prohibition described above shall not apply to the following:

(a) Unsolicited promotional items (e.g., calendars, baseball caps, pens) with a retail value less than \$10,

(b) Benefits or exhibitions available to the public at large,

(c) Discounts or concessions available to all military personnel or state employees,

(d) Coffee, doughnuts, or similar refreshment of nominal value offered as a normal courtesy. (Note: This does not include free meals from anyone with a financial or contractual relationship with the Guard or the State.),

(e) Benefits resulting from employment activities of one's spouse,

(f) Customary exchanges of gifts between friends where it is clear that the motivating factor for the gift is not the individual's employment, and

(g) Trophies, prizes, awards given for public service or achievement in an individual capacity, or those given in games or contests open to the public or approved for participation by personnel.

15 April 1992

(CAAG-SJA)

BY ORDER OF THE GOVERNOR:

OFFICIAL:

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