

DEPARTMENT OF DEFENSE  
HEADQUARTERS, UNITED STATES MILITARY ENTRANCE PROCESSING COMMAND  
2834 GREEN BAY ROAD, NORTH CHICAGO, ILLINOIS 60064-3094

USMEPCOM Regulation  
No. 27-2

Effective date: January 28, 2020

**Legal Services**  
**Ethics**

---

FOR THE COMMANDER:

CUNNINGHAM.J  
OANNE.THERES  
E.1091128434

Digitally signed by  
CUNNINGHAM.JOANNE.THE  
RESE.1091128434  
Date: 2020.01.28 07:54:59  
-06'00'

J. Cunningham  
Deputy Commander/Chief of Staff

**DISTRIBUTION**

Unlimited. This Regulation is approved for public release.

---

**Executive Summary.** This regulation implements Office of Government Ethics (OGE) and Department of Defense (DoD) regulations by prescribing procedures and guidance for the effective administration of the United States Military Entrance Processing Command (USMEPCOM) Ethics Program.

**Applicability.** This regulation applies to USMEPCOM personnel.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval from Headquarters, United States Military Entrance Processing Command (HQ USMEPCOM), ATTN: Office of the Staff Judge Advocate, 2834 Green Bay Road, North Chicago, IL 60064-3091.

**Suggested improvements.** The proponent agency of this regulation is HQ, USMEPCOM. Users may send comments and suggested improvements directly to HQ USMEPCOM, ATTN: Office of the Staff Judge Advocate (OSJA), 2834 Green Bay Road, North Chicago, IL 60064-3091.

**Internal Control Process.** This regulation is not subject to the requirements of Army Regulation (AR) 11-2 (Managers' Internal Control Program).

# Summary of Changes

Minor revisions have been made to this USMEPCOM Regulation (UMR), changes are in **red text**. Information that is obsolete and will be deleted is in **red text** with ~~strikethrough~~.

## *Incorporating changes effective: January 28, 2020*

- Paragraph 2-2a: Request Ethics Training.
- Paragraph 2-2b: DoD Guidance to Standards of Conduct.
- Paragraph 2-3b: New Personnel Mandatory Training within 90 days.
- Paragraph 3-1b: PII Transmitted IAW UMR 25-53, PII and PHI Procedures
- Paragraph 3-3(2): Information on Extension Request.
- Paragraph 5-2a: Guidance on Gifts from Prohibited Sources.
- Paragraph 7-2: Various deletions and additions throughout paragraph
- Paragraph 7-12(3): Limits approval of outside employment to 12 months and FY renewal requirement
- Paragraph 7-12c(2): Limits approval of outside employment to 12 months and FY renewal requirement
- Paragraph 7-12c(4)d: Adds additional requirements for outside medical employment
- Paragraph 9-2b(3): Deleted selected locations
- Appendix A, References: Updated various date(s).
- Appendix B, Forms and Examples: Addition of B-5 Sample “Notice of Intent”

**Table of Contents (TOC)**

	<b>Paragraph</b>	<b>Page</b>
<b><u>Chapter 1</u></b>		
<b>General</b>		
Purpose	1-1	1
References	1-2	1
Abbreviations and Terms	1-3	1
Responsibilities	1-4	1
<b><u>Chapter 2</u></b>		
<b>Ethics Training</b>		
Purpose	2-1	2
Applicability	2-2	2
Reporting	2-3	3
<b><u>Chapter 3</u></b>		
<b>Financial Disclosure Program</b>		
Purpose and expectations	3-1	4
Applicability	3-2	4
Department of the Army Financial Disclosure Management Program	3-3	4
<b><u>Chapter 4</u></b>		
<b>Benefits and Payments of Official Travel</b>		
Purpose	4-1	6
Acceptance and payment of travel and related expenses, approval authority	4-2	6
Reporting requirements for travel and related expenses funded by a non-Federal source	4-3	8
Gifts, gratuities and other benefits received from commercial sources	4-4	8
<b><u>Chapter 5</u></b>		
<b>Gifts</b>		
Purpose	5-1	10
Gifts from prohibited sources	5-2	10
Common exceptions to prohibition against accepting gifts from prohibited sources	5-3	10
Gifts that may be kept from other outside (non-prohibited) sources	5-4	11
Gifts between personnel	5-5	12
Exceptions for the rules of gifts between personnel	5-6	12
Additional gifting guidelines	5-7	13
<b><u>Chapter 6</u></b>		
<b>Solicitation in the Federal Workplace</b>		
Purpose and scope	6-1	14
Personal commercial solicitation	6-2	14
Charitable solicitation	6-3	14
Exceptions	6-4	15

**Chapter 7****Ethics for Executive Branch Personnel**

Purpose	7-1	16
Standards of conduct	7-2	16
Conflicts of financial interests	7-3	17
Bribery and graft	7-4	17
Commercial dealings between USMEPCOM/DoD personnel	7-5	17
Representation of others in matters affecting the Federal Government	7-6	17
Double compensation prohibition	7-7	17
Impartiality in performing official duties	7-8	18
Misuse of position	7-9	18
Teaching, speaking, and writing	7-10	18
Post-USMEPCOM employment	7-11	19
Off duty employment	7-12	19

**Chapter 8****Use of Government Resources**

Purpose	8-1	22
Definitions	8-2	22
Guiding Principle	8-3	22
Prohibition on use of public office for private gain	8-4	22
Use of official time	8-5	23
Use of USMEPCOM/Federal Government computers, communication systems and equipment	8-6	23
Use of USMEPCOM/Federal Government copiers and printers	8-7	24
Use of USMEPCOM/Federal Government vehicles	8-8	24

**Chapter 9****Political Activity**

Purpose	9-1	25
Political activities of USMEPCOM civilian personnel	9-2	25
Political activities of USMEPCOM military personnel	9-3	26

**Chapter 10****Informal Fund Organizations (IFO)**

Purpose and scope	10-1	30
Creating an IFO	10-2	30
Fundraising within an IFO	10-3	30

**Chapter 11****Contractor Employees in the Workplace**

Purpose	11-1	32
Identification of Contractor Employees	11-2	32
Participation in USMEPCOM events	11-3	32
Participation in Contractor events	11-4	32
Gifts	11-5	33
Time management	11-6	33
Awards and recommendations	11-7	33

**Appendices**

<a href="#">A.</a> References	34
<a href="#">B.</a> Form Examples:	
B-1. Sample: Request for acceptance of travel benefit (Non-Federal Funded Official Travel)	37
B-2. Sample: Report of payments for non-Federal funded official travel	38
B-3. Sample: Request to engage in outside employment (military)	40
B-4. Sample: Notice of intent to engage in outside employment (civilian)	42
B-5. Sample: Notice of intent to engage in outside medical employment	44
B-6. Sample: Creating an informal fund	47
<a href="#">C.</a> Glossary	49

## General

### 1-1. Purpose

This regulation prescribes policy, procedures and responsibilities for compliance with and effective administration of the USMEPCOM Ethics Program. The USMEPCOM Ethics Program will ensure command-wide participation and compliance with Department of Defense (DoD) and other applicable ethics requirements.

### 1-2. References

References are listed in Appendix A.

### 1-3. Abbreviations and Terms

Abbreviations and terms used in this regulation are listed in Appendix C, Glossary.

### 1-4. Responsibilities

a. All USMEPCOM personnel must comply with:

- (1) Executive Order 12674 (Principles of Ethical Conduct for Government Officers and Employees);
- (2) Standards of Ethical Conduct for Personnel of the Executive Branch (5 CFR Part 2635);
- (3) Limitations on Outside Earned Income, Employment and Affiliations for Certain Non-career Employees (5 CFR Part 2536);
- (4) Department of Defense Directive (DoDD) 5500.7 (The Joint Ethics Regulation (JER)) and all other applicable statutory and regulatory ethics requirements.

b. This regulation is punitive. Failure to comply with this regulation may lead to disciplinary action under the Uniform Code of Military Justice (UCMJ) or AR 690-700, Chapter 751, Table 1-1: Table of Penalties for Various Offenses, as appropriate.

c. Headquarters (HQ) USMEPCOM Staff Judge Advocate (SJA). The SJA has been delegated authority as the USMEPCOM Senior Ethics Counselor by The Judge Advocate General (TJAG) (Army) acting in his official capacity as the Deputy Designated Agency Ethics Official (DAEO) in accordance with paragraph 1-206 of the JER. The SJA will designate, in writing, subordinate attorneys as ethics counselors.

d. Ethics Counselors will assist the SJA, as required, in implementing and administering the USMEPCOM Ethics Program and provide ethics advice to USMEPCOM civilian personnel and Service members in accordance with this regulation and the JER.

## Chapter 2 Ethics Training

### 2-1. Purpose

Regular ethics training is required to educate and prevent ethics violations, fraud, waste, and abuse of Government funds and resources. Current training modules that meet the requirements for annual ethics training are available through the DoD Standards of Conduct Office (SOCO). SOCO provides relevant, updated annual training online that can be done on an individual and as-needed basis.

### 2-2. Applicability

All USMEPCOM personnel are encouraged to receive annual ethics training. Annual training is **mandatory** for any staff member who is required by statute, regulation, or who is ordered by their chain of command or supervision to submit an Office Government Ethics (OGE) Form 450 (Confidential Financial Disclosure Report).

a. **Mandatory annual ethics training for covered positions.** The following are considered “covered positions” for purposes of ethics training and reporting under the JER, **para. 7-300**. Mandatory training requirements begin during the calendar year of appointment/acquisition. **Required Ethics training must be completed by NLT 31 December or the date mandated by the Secretary of the Army, whichever occurs first (however an earlier deadline may be set via Commander’s Message).** Those who fall under the following duty positions/duty descriptions are required to both complete annual ethics training and submit an OGE Form 450 (See Chapter 3 in this regulation):

(1) USMEPCOM Commander, Deputy Commander/Chief of Staff, Sector Commanders, Battalion Commanders, and Military Entrance Processing Station (MEPS) Commanders;

(2) Any individual duly appointed in writing, by a warranted contracting officer as a Contracting Officer’s Representative (COR) for meals and lodging contracts or any other contract for which the annual value exceeds \$100,000;

(3) Any individual whose total annual Government Purchase Card (GPC) expenditures exceed \$100,000 (Note: this is NOT a Government Travel Cardholder requirement);

(4) Any individual who is personally and substantially involved in significant procurement activities (in excess of \$100,000);

(5) Any individual who meets the relevant criteria to submit an OGE Form 450 under current requirements of the DoD SOCO;

(6) Any individual who, in the discretion of their chain of command or supervision, requires training;  
or

(7) Any individual duly appointed in writing, by a contracting officer as a member of a Source Selection Team.

b. **Mandatory training for new personnel.** Commanders will ensure that all new USMEPCOM civilian personnel who have never held a position with the DoD, or any employees who cannot recall if they have had ethics training before, read the current DoD Employee’s Guide to the Standards of Conduct (SOC), located ~~on MEPNET~~ at [http://ogc.osd.mil/defense\\_ethics/resource\\_library/employee\\_guide.pdf](http://ogc.osd.mil/defense_ethics/resource_library/employee_guide.pdf), within 90 days from the start of their employment with USMEPCOM.

**2-3. Reporting**

All ethics training will be compiled and reported via e-mail. The submission should contain the staff member's name, their first date of employment with or assignment to USMEPCOM, the date their training was completed, what type of ethics training they took, and whether the staff member will be required to file an OGE Form 450. Submissions from all Sector and MEPS Commanders are to be sent to their respective Sector Contact Representative, who in turn will forward those reports to the Office of the Staff Judge Advocate (OSJA). Submissions from Directors and Special Staff Officers are to be sent to the Command Paralegal in OSJA. Regardless of the basis for training, all Commanders, Directors, and Special Staff Officers, should maintain ethics training records on all personnel who complete training annually for future reference.

a. **Covered positions.** Upon completion of training, individuals in covered positions, as defined in paragraph 2-2(a) above, will report completion to their Commander or Director who in turn will forward a report as listed in paragraph 2-3 above.

b. **New personnel.** Supervisors will send an email certifying that a new employee has completed mandatory training to either their Sector Contact Representative or Command Paralegal as listed in paragraph 2-3 above **within 90 days from the start of their employment with USMEPCOM.**

c. **All others.** All USMEPCOM personnel who are not new employees or who do not hold a covered position are encouraged (but not required) to take annual ethics training but do not need to forward a certificate of completion. Directors, Special Staff Officers and Commanders may direct personnel under their supervisory control to take ethics training at any time. Records of training for these personnel shall be maintained and annual rosters forwarded as described in paragraph 2-3 above.



## Chapter 3 Financial Disclosure Program

### 3-1. Purpose and expectations

Government financial disclosure reports help to provide early warning of potential conflicts of interest. (See 18 United States Code (USC) Section 208 and 5 CFR Part 2635 Sections 402 and 502.) Personnel who fall into covered positions as listed in paragraph 2-2(a) in Chapter 2 of this regulation, disclose personal financial interests to aid in early identification of such conflicts. The program is managed by the USMEPCOM Command Ethics Counselor in the OSJA. Because of the nature of information disclosed, confidentiality and care in handling Personally Identifiable Information (PII) will be strictly enforced.

a. **Confidentiality.** Filers need not disclose an exact monetary amount held in each personal account or holding, but the filer must disclose the name of the account or holding. For example, an individual need not report the value of shares held in XYZ Corporation, but must disclose that the individual is a shareholder in XYZ Corporation.

b. **Personally Identifiable Information (PII).** PII will be handled and transmitted in accordance with USMEPCOM ~~Regulation Instruction (UMI) 25-52-1, Management and Disclosure of Command Information~~ **Personally Identifiable Information (PII) and Protected Health Information (PHI)**, and DoD Directive 5400.11, DoD Privacy Program. The USMEPCOM Financial Disclosure Management (FDM) database is controlled and only USMEPCOM personnel who are required to file will be granted access to only their own records via FDM online.

### 3-2. Applicability

a. **Required.** All USMEPCOM personnel, both civilian ~~personnel~~ and military personnel, who meet the requirements listed in paragraph 2-2(a) in Chapter 2 of this regulation are required to file an OGE Form 450 annually.

b. **Discretionary.** The USMEPCOM Commander, may direct any employee or Service member to file an OGE Form 450 regardless of status when the Commander has reason to believe that individual may have an other than official interest in any business or private venture which may become the source of a conflict of interest. All Commanders, Directors, and Special Staff Officers will identify such potential conflicts to the USMEPCOM Commander, upon discovery.

c. **Exceptions.** No other USMEPCOM personnel need file an annual OGE Form 450. The USMEPCOM Commander has also determined that the following personnel do not need to file and has purposefully excluded them from the FDM database for USMEPCOM: any staff (to include the Administrative Services Technician) with COR responsibilities for a contract with a value of \$100,000 or less per year, Travel Clerks (as they are quality assurance evaluators, not CORs), GPC holders who make or approve expenditures of less than \$100,000 per year, and Fund Certifiers.

### 3-3. Department of the Army Financial Disclosure Management (FDM) Program

a. **Reporting requirements.** USMEPCOM utilizes the Army FDM online system for OGE Form 450 filing requirements.

b. **Timing.**

(1) **New entrants:** Individuals newly assigned to covered positions must file an OGE Form 450 and receive ethics training within 30 days of assuming their covered position. Information contained in the OGE

[TOC](#)

Form 450 will reference the 12 months preceding the filing of the form.

(2) **Annually:** OGE Form 450 reporting is due annually NLT February 15<sup>th</sup> or the date mandated by FDM each calendar year for any individual who served at least 60 days in a covered position, although an earlier deadline may be set via tasker message. Information contained in an annual OGE Form 450 will reference the period of 1 January to 31 December of the **previous** calendar year. Filing extensions may be granted on a case-by- case basis. **For an extension request, contact the Office of the Staff Judge Advocate.**

c. **Filing and certification.** Military personnel, regardless of Service branch, and civilian personnel who are required to file an OGE Form 450 will be granted FDM Online Access at <https://www.fdm.army.mil>. Requests for access should be sent to the Command Paralegal. Upon completion of the OGE Form 450, personnel will digitally sign the OGE Form 450. After signature, OGE Form 450 will be reviewed and digitally signed by the individual's designated reviewer. The Deputy Commander/Chief of Staff will serve as the reviewer for Headquarters Directors and Special Staff Officers, Directors and Special Staff Officers will serve as reviewer for their Directorates/Offices; Deputy Sector Commanders will serve as reviewer for their respective Sector personnel; Battalion Commanders will serve as reviewer for all MEPS personnel within their Battalion and the Commander will serve as reviewer for the Deputy Commander/Chief of Staff and Sector Commanders. Following review, the completed OGE Form 450 will be forwarded to the USMEPCOM Command Ethics Counselor for final review and signature.

d. **Responsibility.** Filers and reviewers each have great responsibility and obligation in completing timely and accurate forms. Under no circumstances will any reviewer or ethics counselor disclose PII or other financial information obtained in the course of the FDM process without prior approval of the proper authority. The following information should be kept in mind when processing the OGE Form 450:

(1) Reviewers. Will ensure all information is complete and accurate. Questions regarding information disclosed will be directed to the filer and the supervisor to ensure complete communication.

(2) Ethics counselors. Ensure technical compliance and identify financial interests that may conflict with a filer's official duties. Warning letters will be sent to personnel when direct or potential conflicts are identified. Warning letters will remind filers of their financial interests, identify the conflict or potential conflict of interest, and request further action on behalf of the USMEPCOM Commander, if required.

e. **Filing assistance.** The FDM website has educational tutorials and various resources for all personnel who are designated to file a financial disclosure report to better help filers understand the financial disclosure reporting process. The Command Paralegal serves as the point of contact (POC) for all Headquarters USMEPCOM personnel and each Sector Contact Representative serves as the POC for all Sector, Battalion and MEPS personnel. USMEPCOM personnel who have any administrative questions or difficulties with the FDM online system may contact one of these individuals for assistance either via e-mail or telephone. Legal questions or guidance regarding the substance of filing should be directed to the USMEPCOM Command Ethics Counselor, OSJA, via either e-mail or telephone.

## **Chapter 4**

### **Benefits and Payments of Official Travel**

#### **4-1. Purpose**

This chapter provides guidance on traveler benefits offered or received in the course of official travel.

#### **4-2. Acceptance and payment of travel and related expenses, approval authority**

a. **General Policy.** Except when authorized by law, when USMEPCOM personnel are on official duty (not leave status), all travel and accommodations shall be paid at Government expense.

b. **Travel on non-duty status.** When attending a function in a non-official capacity, personnel may accept reimbursement of travel and accommodations expenses from a private source, provided that such acceptance is not otherwise prohibited by law and Federal regulations. Participation in a function as a private citizen must occur on one's own time, such as while on leave.

c. **Authority.** Under certain circumstances, Congress has authorized Federal agencies, including the DoD, to accept reimbursement of expenses from non-Federal sources to pay for travel, lodging, subsistence, and related expenses incurred by Government personnel who are traveling in their official capacities to attend such events as meetings, conferences, seminars, symposia, and other similar functions. (See 41 CFR Part 304 Sections 1-9 and Title 31 U.S.C. Section 1353.)

(1) Non-Federal sources include, but are not limited to: private sector organizations, associations, or businesses. Travel benefits accepted from a non-Federal Source must be primarily for the benefit of the Government and not the private sector organization paying for it.

(2) USMEPCOM personnel may NOT accept any travel benefit on behalf of the Government without prior approval by the USMEPCOM Commander. The USMEPCOM Commander may delegate this authority to the Deputy Commander/ Chief of Staff, Sector Commanders, Deputy Commanders, Directors, Deputy Directors, or Special Staff Officers. The approval authority will seek the advice of a USMEPCOM Ethics Counselor prior to granting approval.

d. **Criteria for acceptance.** Approving officials will evaluate the following criteria when considering an offer of non-Federal travel benefits:

(1) The offer of travel expenses must be unsolicited and completely voluntary by the offeror.

(2) The gift may only be used for official travel.

(3) The gift may only be used for conferences or similar functions.

(4) The travel benefit may not create an actual or apparent conflict of interest. The approval authority must determine that acceptance would not cause a reasonable person with knowledge of all the relevant facts to question the integrity of DoD programs or operations.

e. **Approval.** Requests for Approval will be submitted in memorandum format, (an example is located at Appendix B-1), through the first-line supervisor to the USMEPCOM Commander, or other approval authority at least 10 duty days prior to travel. All known information will be included in the Request for Approval. Falsification of information or purposeful exclusion of information is strictly prohibited.

f. **Changes following approval.** Once approval has been received and travel has begun, only limited changes can be made. Personnel may accept benefits which were not specifically approved in advance as long as:

(1) The expenses paid in kind are comparable in value to those offered or purchased by other similarly situated meeting attendees; and,

(2) USMEPCOM did not previously decline to accept payment for these particular expenses in advance of travel.

(3) If USMEPCOM has not authorized acceptance of any payment from a non-Federal source prior to travel, the traveler may accept payment from a non-Federal source so long as:

(a) The travel offered is the type of travel expense that is allowed by the existing travel authorization, i.e. meals, lodging, transportation, but not recreational or other personal expenses; AND

(b) the travel expenses are within the maximum allowances stated within the existing travel authorization; AND

(c) the traveler contacts their supervisor during travel to report a potential acceptance of travel benefits; AND

(d) the traveler requests authorization for acceptance from the non-Federal source within 7 working days after the trip ends.

(4) If a traveler accepts a benefit without prior approval, they do so at their own financial risk. When benefits are accepted and USMEPCOM does not authorize acceptance from the non-Federal source, USMEPCOM personnel must either:

(a) Personally reimburse the non-Federal source for the reasonable approximation of the market value of the benefit provided; or

(b) If appropriate, claim the expense on his/her Government travel claim.

g. **Spouses.** Spouses may not accept travel benefit gifts from a non-Federal source to travel with a USMEPCOM member. Should a question regarding spousal travel arise, the traveler's supervisor should contact the USMEPCOM SJA for an opinion in accordance with Army Directive 2007-01 prior to the travel.

h. **First-Class travel offers.** The Secretary of the Army retains the authority to approve all first-class travel and this authority has not been delegated. Requests for first-class air travel, including those paid by a non-Federal source, must be fully justified under the applicable provisions of the JER and Joint Travel Regulation (JTR) which applies to civilian personnel or Joint Federal Travel Regulations (JFTR) which applies to military personnel, as applicable. This requirement applies to the traveling official and an accompanying spouse. This does not limit or intend to limit "on-the-spot" upgrades during travel.

i. **Mode of benefit.** A traveler will not accept cash under ANY circumstances. To simplify the travel voucher process, travelers are encouraged to accept "in-kind" travel expenses (that is, prepaid tickets and hotels), rather than expense reimbursement. If reimbursement is in the form of a check, it must be made out to "Department of the Army" and deposited with the servicing travel office.

#### **4-3. Reporting requirements for travel and related expenses funded by a non-Federal source**

All travel benefits accepted from a non-Federal source will be reported to the DoD SOCO. The collection office for these reports is the USMEPCOM OSJA. Accuracy of reporting is the responsibility of the traveler.

a. Travelers must report and submit a copy of the approval memorandum, report all payments for such travel (an example of such is located at Appendix B-2), and complete a Standard Form (SF) 326 (Report of Payment) to an OSJA ethics counselor within 30 days of completion of the travel.

b. Travelers should keep copies of all receipts, vouchers, ticket stubs, and other documentary verification until the end of the fiscal year of travel.

c. Reports will be consolidated and verified semi-annually by a USMEPCOM SJA ethics counselor. Reports will be collected during the periods of October 1<sup>st</sup> to March 31<sup>st</sup> and again from April 1<sup>st</sup> to September 30<sup>th</sup>. All travel benefits accepted from non-Federal sources should be reported NLT the last day of each semi-annual reporting period.

#### **4-4. Gifts, gratuities and other benefits received from commercial sources**

Gifts, gratuities, and benefits may not be accepted by an individual traveling in an official status when the gift, gratuity or benefit creates or appears to create a conflict of interest or preferential treatment based on status. When traveling in an official status, certain promotional items and other benefits may be retained by the traveler:

a. **Official Federally funded travel.** Certain perks, traveler benefits, “gold card airline” memberships, and point-system rewards from a commercial source, such as an airline, hotel, or rental car company, earned by USMEPCOM personnel while on official travel orders that have been funded at Government expense may be kept for personal use. The promotional material must be obtained under the same terms as those offered to the general public and must be at no cost to the Government. The use of non-contract carriers (airlines) solely to gain personal frequent traveler miles or other benefits is strictly prohibited.

b. **Non-Federally funded travel.** When official travel has been funded by a non-Federal source, USMEPCOM personnel may only keep the promotional items that are awarded in an official travel status, such as frequent flyer miles, if the non-Federal entity does not object. USMEPCOM personnel should seek guidance from an ethics counselor in OSJA and from the source funding the travel prior to traveling.

c. **Travel delays, seat relinquishing and on-the-spot upgrades.**

(1) **Involuntary.** When traveling, an individual may be “bumped” from a flight or otherwise delayed because of overcrowding or overbooking. Benefits obtained from INVOLUNTARY bumping may not be kept for individual use and will be turned into the travel office upon return to home station. If involuntarily delayed, an employee or military member should contact their direct supervisor for accountability purposes. The individual will not be charged leave for involuntary delays and the supervisor will extend them on Temporary Duty (TDY) status.

(2) **Voluntary.** When traveling, an individual may volunteer to be “bumped” from a flight or otherwise delayed because of overcrowding or overbooking. Benefits obtained from VOLUNTARY bumping may be kept for individual (personal) use. However, USMEPCOM personnel who are TDY may NOT extend TDY orders for a voluntary delay. Additional per diem, lodging, or other normally reimbursable expenses will NOT be reimbursed for voluntary extension of TDY. Military members must ensure that their supervisory chain is informed of the delay if it results in an overnight stay. A supervisor may choose to grant Special Pass/Liberty for this purpose upon request of the Service member. USMEPCOM personnel may only voluntarily surrender his/her seat if doing so does not adversely affect

[TOC](#)

the performance of his/her official duties and should notify their supervisory chain for accountability, safety and force protection reasons.

(3) **On-the-spot upgrades.** When on official travel, USMEPCOM personnel may accept, but not request, an on-the-spot seat upgrade if there are no other seats available. Active duty Service members in uniform may accept, but not request, an on-the-spot seat upgrade if the upgrade is at no cost to the Government and is not provided on the basis of the Service member's rank or position. USMEPCOM personnel may request a seat upgrade if the upgrade is at no cost to the Government and is the result of any of the following:

- (a) an on-the-spot upgrade available to the public; or
- (b) a promotional offer available to the public; or
- (c) use of personal funds or frequent flyer miles to upgrade; or
- (d) membership in a club or group that permits upgrades as a result.

d. It is the duty of USMEPCOM personnel to ensure that such upgrades do not create an appearance of impropriety.

## Chapter 5 Gifts

### 5-1. Purpose

To provide a general overview of gifts to an agency, gifts between personnel, gifts from prohibited and non-prohibited sources, special occasion gifts, award, retirement and Permanent Change of Station (PCS) gifts.

### 5-2. Gifts from prohibited sources

a. USMEPCOM personnel shall not, directly or indirectly, solicit or accept a gift from a prohibited source. This includes gifts intended for personal or organizational use. **This direction is punitive. Failure to comply with this direction may lead to disciplinary action under the Uniform Code of Military Justice (UCMJ) or AR 690-700, Chapter 751, Table 1-1: Table of Penalties for Various Offenses, as appropriate.**

b. Regardless of any exceptions that allow a member of USMEPCOM to accept a gift(s), it is never permissible for any USMEPCOM personnel to solicit or coerce the offering of a gift, accept a gift in return for being influenced in the performance of an official act (accept a “bribe” or other similar “gift” made in “appreciation” of performance of official duties), accept a gift in violation of Federal or state statutes, or accept gifts from the same source or different sources so frequently that it would cause a reasonable person to believe that the employee is using his public office for private gain.

c. Gifts may not be accepted if they are only offered/given because of an official position, status, or duty title.

### 5-3. Common exceptions to prohibition against accepting gifts from prohibited sources

On occasion, an individual may be offered a gift in the course of his/her official duties from a non-Federal source, contractor, or other outside entity. Under normal circumstances, the gift must not be accepted. There are, however, certain exceptions that allow gift acceptance where the acceptance would not adversely impact the reputation or esteem of the Federal Government.

a. **The 20/50 Rule.** Government contractors and other prohibited sources may, on occasion, offer unsolicited gifts to Government personnel. Accepting unsolicited gifts in-kind (not cash) which have a market value of \$20 per source per occasion is permissible so long as the total value of all gifts received from a single source during a calendar year does not exceed \$50. (Note: this includes acceptance of meals. For instance, a business lunch/dinner may not exceed \$20 per occasion, and USMEPCOM personnel may not accept more than a total of \$50 in free meals per year from the same source.) USMEPCOM personnel may not pay the difference when gifts have a Fair Market Value (FMV) over \$20. Should the gift exceed the \$20 limit, the individual must pay the full FMV in order to keep the gift, or may give the gift back.

b. **Bona fide awards.** Personnel may accept gifts of an aggregate value of \$200 or less that are a bona fide award (or incident to such an award) from an entity which does not have interests that may be substantially affected by the performance (or non-performance) of their official duties. This means that the grantor may not be impacted by the recipient’s performance of duties. An ethics counselor must approve the acceptance of all cash awards/gifts in excess of \$200.

c. **Widely attended gatherings (WAGS).** Personnel may accept a gift of free attendance to a WAG if their supervisor determines that the employee’s attendance is in the interest of USMEPCOM (i.e. attendance will further the USMEPCOM mission). An event is determined to be a WAG if:

(1) An individual is invited as a speaker to the event and is expected to attend the event as customary participation; OR

(2) An event sponsor extends an unsolicited invitation, and attendance includes a diverse group of individuals attending an event of mutual interest; OR

(3) The invitation is from a non-sponsor, total event attendance exceeds 100 individuals, and the attendance cost has a value of \$335 or less; OR

(4) Free attendance includes waiver of all or part of a conference or other fee or the provision of food, refreshments, entertainment, instruction and materials furnished to all attendees as an integral part of the event. This does not include any travel expenses, lodging, entertainment or meals collateral to the event as part of networking or social gatherings. See Chapter 4 in this regulation for further guidance on acceptance of travel benefits.

#### **5-4. Gifts that may be kept from other outside (non-prohibited) sources**

USMEPCOM personnel may accept:

a. Discounts and similar benefits offered by a non-prohibited source to any group or class that is not defined in a manner that specifically discriminates among Government personnel on the basis of type of official responsibilities or on a basis that favors those of higher rank or rate of pay;

b. Reduced membership fees offered by professional organizations to all Government/military personnel;

c. Benefits offered to members of a group in which membership is unrelated to Government employment;

d. Benefits offered to members of a group where membership is related to Government employment if the same benefit were offered to large segments of the public;

e. Benefits offered from other than prohibited sources which are not based on position, rank or rate of pay;

f. Gifts resulting from the member's or a spouse's outside business activities;

g. Free attendance provided by a state, local Government, or tax exempt civic organization when there is a community relations interest;

h. Rewards and prizes given to competitors in contests or events, including random drawings, that are open to the public and the entry is not part of the USMEPCOM official duties;

i. Awards for meritorious public service or achievement, and honorary degrees. Before accepting an award, the USMEPCOM staff member should seek advice from an OSJA ethics counselor;

j. Food and entertainment (not travel and lodging), at social events, if:

(1) the invitation is not from a prohibited source, and

(2) the event is free to all attendees;

k. Gifts based on personal relationships;

l. Social invitations;



m. Scholarships.

### **5-5. Gifts between personnel**

a. USMEPCOM personnel cannot accept a gift from a lower-paid staff member unless they have a personal relationship that would justify the gift and they are not in superior-subordinate relationship.

b. USMEPCOM personnel, cannot directly or indirectly, give a gift or make a donation toward a gift for someone superior in their chain of command, nor solicit a contribution from another staff member for a gift to either his/her own or another member's official superior.

### **5-6. Exceptions for the rules of gifts between personnel**

a. On an occasional basis, including traditional gift giving occasions such as birthdays and holidays, USMEPCOM personnel may exchange gifts regardless of rank and status, subject to the following limitations:

- (1) The gift has a value of \$10 or less per occasion (e.g. greeting card); or
- (2) The gift consists of food and refreshments shared and consumed at the office; or
- (3) The gift is related to personal hospitality provided at a residence (to include an appropriate host/hostess gift.)
- (4) Personnel may not accept a gift of cash. A gift card is considered to be equivalent to cash unless it can only be redeemed for a specific item (i.e. theater tickets);

b. Gifts exceeding \$10 limitation: On special, infrequent occasions, a gift that exceeds the \$10 limit and is appropriate to the occasion (e.g. wedding, family tragedy, birth or adoption of a child, etc.) may be given to an official superior or accepted from a subordinate or employee receiving less pay. A subordinate may also give a gift or donate toward a group gift for a superior, and a superior may accept a special gift for an event which terminates the superior-subordinate relationship such as transfer, resignation, or retirement. A promotion does not qualify for this exception.

c. USMEPCOM group gift solicitations: Solicitations for a "group gift" may not exceed a \$10 voluntary contribution per person. A contributor may voluntarily choose to donate more than \$10. All donations must be strictly voluntary. Group gift(s) given on special, infrequent occasions are limited to a maximum of \$300 and the gift should be appropriate to the occasion. The cost of food, refreshments, and entertainment provided to the USMEPCOM/DoD member and his/her personal guests to mark the occasion for which the gift is given shall not be included in determining whether the value of a gift(s) exceeds the \$300 aggregate limit. While \$300 is the maximum allowed for a gift, it should not be construed as the expected or "norm" amount for a gift. USMEPCOM change of commands, change of responsibility ceremonies, and staff retirements are all considered to be "special infrequent occasions" for purposes of this regulation.

d. USMEPCOM donating groups: No member of one donating group may be a member of another donating group within USMEPCOM. Groups can not be merged nor overlap; they must be mutually exclusive of each other. For example, if a MEPS Commander donates to a gift being given by his/her Battalion, he/she may not also donate to a gift being given by his/her Sector Headquarters. If a MEPS Commander donates to both Sector Headquarters and his/her Battalion, the Battalion and Sector Headquarters become one donating group subject to the \$300 limit. To avoid the perception that a member is benefiting financially from his/her retirement or departure, the number of donating groups and gifts should be carefully monitored and limited.

e. For purposes of donating to gifts involving the change of command or retirement of the USMEPCOM Commander, donating groups are limited to:

- (1) Each Battalion;
- (2) Each Sector Headquarters (excluding all subordinate MEPS personnel who have donated to Battalion groups), and
- (3) HQ USMEPCOM.

f. USMEPCOM voluntary contribution limit: USMEPCOM gifting groups may not solicit more than \$10 from a contributor who is junior in grade or rank to the honoree. Each gifting group will maintain a list of names to ensure all donating groups are mutually exclusive. The list shall not; however, track how much each individual donated, or be used to reward those who donated or take action against those who chose not to donate.

#### **5-7. Additional gifting guidelines**

Some helpful hints for gifts between personnel are:

- a. Be proactive and/or be a part of the planning process.
- b. Keep the number of donating groups to a reasonable number (no competitions).
- c. Remember the purpose is to honor the departing official superior, not to embarrass the honoree or another gifting group.
- d. It is truly the “thought” that counts. While \$300 is the maximum allowable gift, it is not the necessary amount to spend on each and every occasion.
- e. To collect funds for a “group gift” as referenced in this chapter. A junior member of a group may conduct fund collection to give a group gift in honor of a special, infrequent occasion such as a wedding, birth or adoption of a child, transfer out of the supervisory chain, or retirement.

## **Chapter 6**

### **Solicitation in the Federal Workplace**

#### **6-1. Purpose and scope**

Personal commercial solicitation in the workplace is prohibited. This chapter applies to all military and civilian personnel in USMEPCOM, contractors, family members and friends of personnel assigned or working with USMEPCOM.

#### **6-2. Personal commercial solicitation**

a. Personal commercial solicitation includes, but is not limited to, the sale of magazine subscriptions, cosmetics, household products/goods, hair replacement systems, vitamins, candy, cookies, insurance, weight loss programs, etc. while on the job or in USMEPCOM work spaces. The rule applies regardless of whether the person is selling the item for personal profit, or for the benefit of another entity (i.e. school, youth sports program, scout troop, church group, civic organization, home party sales, etc.)

b. Military personnel, civilian personnel, contractors, spouses, family members and friends are strictly prohibited from entering USMEPCOM areas for the purpose of personal commercial solicitation. MEPS located in Federal buildings or on military installations will comply with the local orders and policies of the Federal building or installation they occupy. Engaging in personal commercial solicitation could result in disciplinary action against USMEPCOM personnel and/or removal of a contractor, spouse, friend, or family member from the area or installation.

c. Outside the workplace, USMEPCOM personnel are strictly prohibited from engaging in personal commercial solicitation from personnel who are junior in rank, grade, or position to them. This includes solicitation of family members of junior personnel as well.

#### **6-3. Charitable solicitation**

a. Charitable solicitation includes, but is not limited to, group fundraising for donation to not-for-profit organizations, membership drives, or other fund-donation solicitation. Some common charities include disaster relief efforts, local hospitals, churches, community organizations and many others.

b. Personnel may not engage in charitable solicitation in the Federal workplace, with the following exceptions:

(1) Charitable fundraisers approved by the Director of the Office of Personnel Management (OPM). Following major natural disasters, OPM usually provides guidance on fundraising for relief efforts. When OPM guidance is released, fundraising requests within USMEPCOM will be approved by the USMEPCOM Commander or the Commander's designee. The USMEPCOM Commander, may delegate the authority to approve fundraising efforts sanctioned by OPM down to Sector Commanders.

(2) Commanders may approve placement of a drop box in a building common area under their control for the collection of food, toys, clothes, or similar items for distribution by local charitable organizations. Commanders must comply with any local charitable fundraising rules or restrictions imposed by the installation or Federal building they occupy.

c. USMEPCOM personnel may not officially endorse (or appear to endorse) any charitable solicitation efforts except:

(1) The Combined Federal Campaign (CFC);

- (2) Emergency and disaster appeals approved by OPM;
- (3) Army Emergency Relief (AER);
- (4) Navy-Marine Corps Relief Society (NMCRS);
- (5) Air Force Assistance Fund (AFAF), including:
  - (a) Air Force Enlisted Men's Widows and Dependents Home Foundation, Inc.;
  - (b) Air Force Village;
  - (c) Air Force Aid Society;
  - (d) General and Mrs. Curtis E. LeMay Foundation;
- (6) Coast Guard Mutual Assistance (CGMA).

d. This chapter is not intended to limit or preclude USMEPCOM personnel from contributing in a personal capacity to charities of their choice.

#### **6-4. Exceptions**

Under certain circumstances, there may be exceptions to the prohibition against solicitation in the Federal workplace. They are:

- a. Unsolicited requests for sales are authorized, but should be carefully monitored so as not to interfere with the USMEPCOM mission or provide the appearance of inappropriate conduct. For instance, if you know a fellow co-worker has a child in scouting, you may offer to purchase cookies or popcorn from their child. Every effort should be made to make the request during lunch, on a break, or off-duty hours.
- b. Other organizations, including informal fund organizations, composed primarily of DoD personnel or their dependents when fundraising among their own members for the benefit of welfare funds for their own members or their dependents when approved by the head of the DoD Component command or organization after consultation with the DAEO or designee. This includes most morale, welfare and recreation programs (MWR), regardless of funding sources.
- c. Other official fundraising activities sanctioned by the USMEPCOM Commander, as referenced in this chapter.

## Chapter 7 Ethics for Executive Branch Personnel

### 7-1. Purpose

This chapter establishes guidelines and rules for conduct of USMEPCOM personnel acting in their official capacity as Federal employees.

### 7-2. Standards of Ethical Conduct of the Executive Branch

a. The 14 General Principles of Ethical Conduct:

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain. ~~Place loyalty to the Constitution, the laws and ethical principles above private gain.~~

(2) ~~Employees shall not hold financial interests~~ ~~Do not hold financial interests~~ that conflict with the conscientious performance of duty.

(3) ~~Do~~ ~~Employees shall~~ not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.

(4) ~~Do~~ ~~An employee shall not, except as permitted by subpart B of this part, not~~ solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with ~~the DoD~~, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of ~~you're~~ ~~the employee's~~ duties.

(5) ~~Employees shall~~ put forth honest effort in the performance of ~~you're~~ ~~their~~ duties.

(6) ~~Do not~~ ~~Employees shall not~~ knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.

(7) ~~Do~~ ~~Employees shall~~ not use public office for private gain.

(8) ~~Employees shall~~ act impartially and not give preferential treatment to any private organization or individual.

(9) ~~Employees shall~~ protect and conserve Federal property and not use it for other than authorized activities.

(10) ~~Employees shall~~ ~~Do~~ not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.

(11) ~~Employees shall~~ disclose waste, fraud, abuse, and corruption to appropriate authorities. Contact USMEPCOM's Inspector General (IG) 24-hour phone hotline at (847) 688-2448 or the DoD IG at either their 24-hour phone hotline 800-424-9098 or ~~e-mail: [hotline@dodig.mil](mailto:hotline@dodig.mil)~~ ~~at <http://www.dodig.mil/Components/Administrative-Investigations/DoD-Hotline/>~~.

(12) ~~Employees shall~~ satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

(13) ~~Employees shall adhere to~~ ~~Follow~~ all laws and regulations that provide equal opportunity for

[TOC](#)

all Americans regardless of race, color, religion, sex, national origin, age, or **disability handicap**.

(14) **Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.**

b. If the ethical standards do not cover specific situations, you should return to these general principles for guidance in deciding if your conduct is proper. Consult an ethics counselor at all times.

### **7-3. Conflicts of financial interests**

a. USMEPCOM personnel MAY NOT participate personally and substantially in their official capacity in any particular matter in which he/she, or any person whose interests are imputed, has a financial interest, (i.e. spouse, child, business partner) to the USMEPCOM employee, unless the USMEPCOM employee receives a statutory waiver or qualifies for a regulatory exemption.

b. USMEPCOM personnel MAY NOT perform government work on a particular matter that will affect the financial interest of: a USMEPCOM staff member, his/her spouse, his/her minor children, his/her business partner, organizations with which the USMEPCOM staff member is negotiating or has arrangements with for future employment, or any organization for which he/she serves as an employee, officer, director, trustee, or general partner.

c. If a USMEPCOM employee feels he/she may have a conflicting financial interest, he/she must consult with an ethics counselor in OSJA to determine the appropriate course of action.

### **7-4. Bribery and graft**

USMEPCOM personnel MAY NOT seek or accept anything of value in exchange for being influenced in the proper performance of his/her official duties.

### **7-5. Commercial dealings between USMEPCOM/DoD personnel**

USMEPCOM personnel may not knowingly solicit or make solicited sales to personnel who are junior in rank, grade, or position (or to their families). This includes, but is not limited to: loans, insurance, stocks, real estate, cosmetics, household supplies, and other such goods and services. See Chapter 6 of this regulation (Solicitation in the Federal workplace).

### **7-6. Representation of others in matters affecting the Federal Government**

Government personnel may not represent anyone outside the Federal Government before a Federal agency or court, or share in any compensation for such representations made by anybody else, if the Federal Government is involved in the particular matter. This does not include compensation rightfully obtained through the provisions of the Federal Tort Claims Act.

### **7-7. Double compensation prohibition**

USMEPCOM personnel MAY NOT accept compensation from any source except the Federal Government for his/her services as a Federal Government employee, both military members and civilian employees.

a. This rule prohibits currently employed USMEPCOM Chief Medical Officers (CMO) from working as contract fee-based physicians for a MEPS at any time.

b. This rule does not apply if you are a “special Federal Government employee” (i.e. a consultant), you serve without compensation, or your supplementation is a result of a public service award.

c. This rule does not prohibit National Guard/Reserve Forces on active duty from receiving proper payment of any part of their salary or wages that would have been paid to the Guard/Reserve member if the member's employment had not been interrupted by such call or order to active duty.

#### **7-8. Impartiality in performing official duties**

a. USMEPCOM personnel are to maintain impartiality at all times when performing their official duties. USMEPCOM personnel may not participate in any particular USMEPCOM matter if either the matter is likely to affect the financial interest of a member of the staff members' household, or when a person with whom the staff member has a "covered" relationship is involved in the matter or when a reasonable person with knowledge of the relevant facts could question the USMEPCOM staff member's impartiality.

b. Who may be in a "covered" relationship:

- (1) A member of a USMEPCOM staff member's household;
- (2) Someone with whom a USMEPCOM staff member has or seeks to have a business relationship, other than a routine consumer transaction;
- (3) An organization (other than a political party) in which a USMEPCOM staff member actively participates;
- (4) Someone with whom a USMEPCOM staff member has had, within the last year, a close business relationship, such as a partnership or employment; or
- (5) Someone with whom your spouse, parent, or dependent child has (or seeks to have), a close business relationship.

#### **7-9. Misuse of position**

a. USMEPCOM personnel may not use, or permit the use of, his/her Federal Government position, title, or any authority associated with his/her office for private gain.

b. USMEPCOM personnel may not use his/her official position to induce or coerce another person to provide any benefit to him/her or anyone with whom that staff member is personally affiliated with.

c. A USMEPCOM employee may not imply that DoD or the Federal Government endorses their personal activities.

d. A USMEPCOM staff member may not endorse any product, service, or enterprise associated with his/her official duties, except as provided by statute or regulation.

#### **7-10. Teaching, speaking, and writing**

a. USMEPCOM personnel may accept payment for teaching, speaking, or writing during off-duty hours on matters unrelated to that staff member's official duties and for which the staff member did not use official time for preparation. Teaching, speaking, or writing are intellectual activities that are treated like outside employment. Consequently, the staff member must also comply with Section 12 of this chapter, as outlined below, engaging in off duty employment.

b. If a USMEPCOM employee's employment by DoD is identified, the employee must ensure that it is

[TOC](#)

clear to their audience that the information, opinions and views expressed do not reflect those of the US Government, DoD, the Armed Forces, or USMEPCOM.

#### **7-11. Post-USMEPCOM employment**

All USMEPCOM personnel who are personally and substantially involved in procurement activities should consult with an ethics counselor in the OSJA before separating from the military or civil service about the post-Government service restrictions that may apply.

#### **7-12. Off duty employment**

All USMEPCOM personnel, both uniformed Service members and civilian employees, who work outside of USMEPCOM, often referred to as “moonlighting”, must comply as follows:

##### **a. Policy.**

(1) USMEPCOM personnel should be aware of the steps they must take prior to performing any outside employment, to include self-employment. Employment means any form of non-Federal employment or business relationship involving the provision of personal services by the employee, either for pay or without pay (i.e. working in a family business without receiving a salary). Employment includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, or trustee.

(2) Volunteer work, school work, housework, and serving as an unpaid caregiver for a family member does not constitute employment. Membership in a reserve component of the US Armed Forces is also not considered to be employment for purposes of this policy.

(3) USMEPCOM personnel may not engage in outside employment that interferes or is in conflict with the performance of their USMEPCOM duties. While this is not a blanket prohibition relating to outside employment, such outside employment must not interfere with mission accomplishment.

(4) USMEPCOM personnel must not let outside employment inhibit their ability to satisfactorily perform their mission and will report to work physically and mentally capable of performing their duties at an acceptable level. Examples of some performance issues that can arise from outside employment inhibiting performance are: sleeping on duty, absent without leave, and unexcused tardiness. Furthermore, USMEPCOM personnel may not work in a job that may be reasonably expected to bring discredit or criticism against the employee or USMEPCOM.

(5) USMEPCOM personnel may not use Government facilities (i.e. work spaces, property), Government time (i.e. duty hours), Government equipment (i.e. computer, Internet, e-mail, telephone, copier), Government materials or supplies (i.e. copier paper, pens, notebooks, etc.) for any activity which supports or directly relates to the outside employment.

##### **b. Uniformed service members.**

(1) USMEPCOM uniformed Service members are expected to perform their duties whether during normal duty hours or outside normal duty hours.

(2) USMEPCOM uniformed Service members must submit a written request of intent to engage in outside employment using the memorandum format in Appendix B-3, and obtain written approval prior to engaging in any outside employment (with or without pay). This requirement includes self-employment which could interfere with the full and proper discharge of duties. Final approval authority for uniformed Service members is as follows:



[TOC](#)

(a) USMEPCOM Headquarters – Headquarters Commandant (with consultation with the Chief of Staff or Command Sergeant Major as appropriate)

(b) USMEPCOM Sector Headquarters – Sector Commander

(c) Battalions – Battalion Commander

(d) MEPS – MEPS Commander

(3) USMEPCOM uniformed Service members who have an approved request to engage in outside employment **will renew such requests in writing annually** as all approved requests will only be for a maximum of 12 months. The supervisor will review each request beginning each Fiscal Year.

(4) USMEPCOM uniformed Service members will inform the approving authority within 5 duty days of terminating their outside employment or making changes in their outside employment conditions (i.e. working schedule).

(5) If the proposed outside employment creates a problem in any one of these areas or if a problem arises during the course of employment, the approving authority may deny or revoke permission for the outside employment.

(6) Supervisors will maintain a record of submitted written requests for reference.

#### **c. Civilian employees.**

(1) USMEPCOM civilian employees must provide prior written notice of outside employment to their supervisor. Written notices will be submitted using the memorandum format in Appendix B-4, through his or her supervisory chain to the appropriate leadership as follows:

(a) USMEPCOM Headquarters – Director or Special Staff Officer

(b) USMEPCOM Sector Headquarters – Sector Commander

(c) Battalions – Battalion Commander

(d) MEPS – MEPS Commander

(2) All USMEPCOM civilian employees who submit a notice of intent to engage in outside employment memorandum **will be responsible for renewing the notice annually in writing** through his or her supervisory chain. All approved requests will only be for a maximum of 12 months. The supervisor will review each request beginning each Fiscal Year

(3) USMEPCOM civilian employees will inform their supervisory chain within 5 duty days of beginning or terminating their outside employment or making changes in their outside employment conditions.

(4) Supervisors will maintain a record of submitted written requests for reference.

#### **d. Medical Employees**

(1) USMEPCOM civilian employees and uniformed Service members who engage in the practice of medicine at facilities not operated by USMEPCOM must comply with all of 7.12 requirements as

[TOC](#)

well as AR 40-1, MEDCOM Regulation 600-3, and HA Policy 96-050.

(2) The approving authority to engage in the outside practice of medicine is the Medical Directorate Director/J-7 for all employees. The approving authority for the Medical Directorate Director/J-7 is the Deputy Commander/Chief of Staff.

(3) Personnel will only use the form at Appendix B-5.

## **Chapter 8**

### **Use of Government Resources**

#### **8-1. Purpose**

This chapter provides guiding principles on both the correct and improper use of Government resources and applies to all USMEPCOM personnel, including both military and civilian employees.

#### **8-2. Definitions**

a. The term “official use” means the use for which the government resource was made available by Congress. An official use of a Government resource is normally directly related to the accomplishment of USMEPCOM’s mission.

b. The term “authorized use” is the use of a Government resource for a purpose that is not “official use” but is used when the following conditions are met:

- (1) The authorized use does not affect the user’s official duties;
- (2) The use is of reasonable duration and frequency;
- (3) There is a legitimate purpose served by the use (i.e. keeping personnel at their desks; furthering the professional development of personnel, or improving morale);
- (4) The use does not reflect adversely on DoD or USMEPCOM;
- (5) The use does not overburden USMEPCOM’s systems or resources;
- (6) The use creates no significant additional cost to DoD or USMEPCOM; and
- (7) Use may also be “authorized” if the use has been approved in advance by the Commander, USMEPCOM, or appropriate supervisor.

#### **8-3. Guiding principle**

USMEPCOM personnel shall protect and conserve Government resources and shall not use them for other than official or authorized purposes.

#### **8-4. Prohibition on use of public office for private gain**

a. Personnel shall not use their public office for their own private gain, or for the private gain of friends, relatives, or persons with whom the staff member is affiliated in a nongovernmental capacity, including nonprofit organizations of which the staff member is an officer or member, and persons with whom the staff member has or is seeking employment or business relations.

b. Specific prohibitions include:

- (1) Coercing or inducing any person to provide any benefit to the staff member or any person with whom the staff member is affiliated in a nongovernmental capacity.
- (2) Implying official endorsement of personal activities. USMEPCOM personnel shall not use or permit their Government position, title, or authority associated with their public office to be used in any manner that could reasonably be construed to imply that USMEPCOM or the DoD sanctions or endorses

(3) their personal activities or those of another. This provision does not preclude USMEPCOM personnel from referring to their official title or position, as permitted, when teaching, speaking, or writing in a personal capacity. (See Chapter 7 of this regulation, paragraph 7-10.)

c. Using information gained through Federal service that the staff member knows or should know is unavailable publicly in financial transactions to further his/ her private interest.

#### **8-5. Use of official time**

a. USMEPCOM personnel shall use official time in an honest effort to perform official duties, unless authorized under law or regulation to use official time for other purposes.

b. Supervisors shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation.

#### **8-6. Use of USMEPCOM/Federal Government computers, communication systems and equipment**

a. USMEPCOM/Federal Government communication systems and equipment include Government-owned telephones (including cell phones), fax machines, digital senders, electronic mail, Internet systems, and commercial systems when USMEPCOM/Federal Government pays for their use.

b. USMEPCOM/Federal Government communication systems shall be for official use and authorized purposes only.

(1) Official use includes communications deemed necessary to accomplish the mission, emergency communications, and “morale and welfare” communications by USMEPCOM personnel on extended deployments.

(2) Authorized purposes include:

(a) Brief calls home while TDY to notify family of official transportation or schedule changes;

(b) Personal communications that are most reasonably made while at the workplace. Examples include checking in with a spouse or minor child, scheduling doctor, auto, or home repair appointments, brief Internet searches, or e-mailing directions to visiting relatives. All authorized uses must comply with paragraph 8-2b.

c. Prohibited uses: Use of communication systems that would adversely reflect on DoD or USMEPCOM are prohibited, to include:

(1) Supporting or accessing Internet sites that promote hate crimes or discriminatory acts such as harassment, intimidation, property damage, or threats;

(2) Creating, downloading, viewing, storing, copying, or transmitting pornography;

(3) Creating or forwarding chain letters, spam and mass mailings;

(4) Gambling (placing or taking wagers) and gaming (including fantasy sports);

(5) Broadcasting unsubstantiated virus warnings;

(6) For commercial purposes, support of for-profit organizations, or other outside employment or business activities;

(7) Endorsing any product or service;

(8) Participating in any partisan political activity;

(9) Inappropriate handling of classified information;

(10) Misleading someone into believing that you are acting in an official capacity;

(11) Using software, such as password-cracking tools, vulnerability scanners, and network sniffers, applications using streaming data, audio and video, malicious logic and virus development software, tools, files; unlicensed software; games; web altering tools/software and other software that may cause harm to Government computers and telecommunications systems.

d. Additional Guidance.

All USMEPCOM personnel must comply with all guidance issued by J-6/Information Technology Directorate (MEIT) concerning the use of USMEPCOM computer and telecommunications systems and equipment.

**8-7. Use of USMEPCOM/Federal Government copiers and printers**

a. Personal use of Government photocopiers is not authorized.

b. A supervisor may authorize the occasional non-official use of a Government printer when the use is related to a legitimate purpose, such as professional development.

**8-8. Use of USMEPCOM/Federal Government Vehicles (GOV)**

USMEPCOM personnel should consult [UMR 700-3, Consolidated Logistics Support](#), for guidance concerning the use of GOVs.

## Chapter 9

### Political Activity

#### 9-1. Purpose

Personnel employed by USMEPCOM must conduct themselves in a manner consistent with democratic principles while maintaining impartiality and confidence of the American public. This chapter provides guidance and information on acceptable and unacceptable political activity for USMEPCOM personnel.

#### 9-2. Political activities of USMEPCOM civilian personnel

##### a. Civilian personnel may do the following in their personal capacities:

(1) Be candidates for public office in nonpartisan elections (ones in which none of the candidates are affiliated with a political party);

(2) Register and vote as they choose;

(3) Assist in voter registration drives;

(4) Express opinions about candidates and issues;

(5) Contribute money to political organizations

(6) Attend political fundraising functions;

(7) Attend and be active at political rallies and meetings;

(8) Join and be an active member of a political party or club;

(9) Sign nominating petitions;

(10) Campaign for or against candidates in partisan political elections, referendum questions, constitutional amendments, or municipal ordinances;

(11) Make campaign speeches for candidates in partisan elections;

(12) Distribute campaign literature in partisan elections; and

(13) Hold office in political clubs or parties.

##### b. Civilian personnel may not do the following:

(1) Use their official authority or influence for the purpose of interfering with or affecting the result of an election;

(2) Run for the nomination or as a candidate for election to a partisan political office;

(3) Knowingly solicit, accept, or receive a political contribution from a subordinate (a staff member under their supervisory authority, control, or administrative direction);

(4) Engage in political activity while on duty;

[TOC](#)

(5) Engage in political activity while in any room or building occupied in the discharge of official duties by a Federal employee or office-holder;

(6) Engage in political activity while wearing a uniform or official insignia (**This includes all military uniforms and ID badges**);

(7) Engage in political activity using a GOV or a leased vehicle;

(8) Intimidate, threaten, command, or coerce a Federal employee to engage in or not to engage in political activity;

(9) Distribute or display campaign materials or items, or perform campaign related chores while on duty; and

(10) Wear partisan political buttons, t-shirts or other items while on duty.

c. USMEPCOM civilian employees who live in the District of Columbia (DC), designated areas of Virginia and Maryland, and other designated areas where the majority of voters are employed by the Federal government may:

(1) Run as independent candidates in partisan elections for local offices of the designated municipality or political subdivision;

(2) Accept or receive political contributions in connection with those local elections, but they may **not** solicit political contributions from the general public.

(3) ~~In addition to DC and parts of Maryland and Virginia, the other designated communities are Anchorage, AK; Benicia, CA; Bremerton, WA; Elmer City, WA; Port Orchard, WA; Centerville, GA; Warner Robbins, GA; Crane, IN; Huachuca City, AZ; Sierra Vista, AZ; New Johnsonville, TN; and Norris, TN.~~ For complete list of specific designated areas ~~of Virginia and Maryland~~, see 5 C.F.R. Section 733.107.

### **9-3. Political activities of USMEPCOM military personnel**

a. The political activities of officers and enlisted members of the Active Armed Forces, Guard and Reserve are governed by DoDD 1344.10, Political Activities by Members of the Armed Forces.

(1) The provisions herein apply to Service members on active duty, which is defined as full-time duty in the active military service of the US without regard to duration or purpose, including active duty for training, annual training, attendance at military schools, and full-time National Guard duty. They do not apply to inactive duty for training, or to National Guard personnel serving in State status.

(2) Full-time National Guard duty is defined in 10 U.S.C. Section 101(d)(5) as training or other duty, other than inactive duty, performed by a member of the National Guard of the US with status as a member of the National Guard of a State or Territory, under 32 U.S.C. Sections 316, 502, 503, 504, or 505, (drills, field exercises, and attendance at military schools) for which the member is entitled to pay from the U.S. Government or for which the member has waived pay from the U.S. Government.

#### **b. Military personnel on active duty may:**

(1) Register, vote, and express their opinions on political candidates and issues, but not as representatives of the Armed Forces;

[TOC](#)

(2) Attend partisan and nonpartisan political meetings or rallies as spectators, however, they may not attend:

- (a) In uniform,
- (b) During duty hours,
- (c) When violence is likely to result, or
- (d) When their activities constitute a breach of law and order.

(3) Make monetary contributions to a political organization, but not to other members of the Armed Forces on active duty or employees of the Federal Government.

(4) May encourage other military members to vote;

(5) Serve as an election official, if such service:

- (a) is not in uniform;
- (b) does not interfere with military duties; and
- (c) has the prior approval of the USMEPCOM Commander;

(6) Sign a petition for legislative action or to place a candidate's name on the ballot, but only in the Service member's personal capacity;

(7) Write a letter to the editor of any media/publication expressing personal views, and place bumper stickers on cars (but not large banners or posters).

**c. Military personnel on active duty may not:**

(1) Use their official authority or influence for interfering with an election, soliciting votes for a particular candidate or issue, or requiring or soliciting political contributions from others;

(2) Participate in partisan political management, campaigns, or conventions;

(3) Write and publish partisan political articles that solicit votes for or against a partisan political party or candidate, speak before partisan political gatherings, or participate in partisan political radio or television shows;

(4) Serve in any capacity or are listed as a sponsor of a partisan political club;

(5) Distribute partisan political literature or conduct a political opinion survey under the auspices of a partisan political group;

(6) Use contemptuous words against the President, Vice President, Congress, and the Secretaries of the military departments, Defense, or Transportation, and the Governors or legislatures of any state or territory where the Service member is on duty;

(7) Engage in fund-raising activities for partisan political causes on military installations or in



Federal offices or facilities;

- (8) Attend partisan political events as official representatives of the Armed Forces.

**d. Running for office.**

(1) Enlisted members **not** on extended active duty (EAD) (which is active duty under a call or on order in excess of 180 days), and Reserve and National Guard officers who are **not** on active duty may be candidates for and hold elected offices.

(a) They may not wear uniforms when engaged in any activity in furtherance of a political interest. Wearing military uniforms is never allowed when engaged in political activity, whether or not the person is on duty, and regardless of his or her status.

(b) They may hold elected office only in a personal capacity.

(c) They may not hold office that interferes with their official military duties.

(2) Military personnel on active duty, including Reserve and National Guard, generally may not campaign for or hold elected office in the US Government or the Government of any state or territory or any political subdivision thereof.

(a) Enlisted members on EAD may seek and hold nonpartisan civil office (an election in which none of the candidates is affiliated with a political party) as a notary public, member of a school board, neighborhood planning commission, or similar local agency as long as the office is held in a private capacity and does not interfere with military duties.

(b) Installation commanders may allow a Service member to file for elective office, but this does not authorize prohibited partisan political activity. This would apply to a Service member about to be discharged or released from active duty.

## Chapter 10 Informal Fund Organizations (IFO)

### 10-1. Purpose and scope

This chapter establishes procedures and guidelines for Informal Fund Organizations (IFOs) to conduct fundraising activities throughout USMEPCOM. All fundraising will be conducted in accordance with AR 600-29, Fund-Raising Within the Department of the Army, DoD 5500.7R, Joint Ethics Regulation, and AR 608-1, Army Community Service Center, and Appendix J.

a. **Applicability.** This policy applies to all personnel assigned to HQ USMEPCOM, Headquarters Eastern Sector USMEPCOM, Headquarters Western Sector USMEPCOM, MEPS personnel, as well as all family members or other volunteers affiliated with any USMEPCOM IFO, including any USMEPCOM Readiness Support Groups (RSG).

(1) No provision of this chapter is intended to supersede the regulations or general orders of the Federal building or installation where a MEPS is a tenant organization. This includes personnel at HQ USMEPCOM, HQ Eastern Sector, and HQ Western Sector who are subject to Naval Station Great Lakes Instruction (NAVSTAGLAKESINST) 5720.1A, Solicitation, Fund Raising, Distribution of Printed Material and Conduct of Personal Commercial Affairs (Including the Sale of Personal Insurance), which governs fundraising by IFOs. MEPS Commanders should determine if any installation or any US General Services Administration (GSA) policies apply to their MEPS.

(2) This chapter does not apply to fundraising activities conducted by or on behalf of the CFC, AER, the AFAF, the NMCRS, the CGMA, or any emergency or disaster fundraising appeal approved by OPM.

b. **What qualifies as an IFO.** An IFO is an unofficial organization or activity that is authorized to operate within a DoD facility at the discretion of the commander. An IFO must have a limited scope or purpose and its assets may not exceed a specific dollar amount. Examples of IFOs include Cup & Flower Funds, Office Coffee Funds, Organization Day and Holiday Party Fundraising Committees, and the fundraising arm of RSGs. An IFO is normally supported financially by its members through dues or assessments, which is not considered to be fundraising. IFOs have only very limited regulatory authority to conduct occasional fundraisers.

### 10-2. Creating an IFO

All IFOs and their fundraising committees must be properly established IAW AR 600-20, para. 4-21 and authorized by a Commander (an example of such is located at Appendix B-5).

a. **Who may create an IFO.** IFOs may be established at any time at the discretion of the USMEPCOM Commander, Sector, Battalion, or MEPS Commanders. Directorates and Special Staff offices are not authorized to establish separate IFOs with the exception of Office coffee/soda/water-type funds.

b. Previously established IFOs (those existing prior to the date of this publication) may continue to operate, as long as they are in compliance with AR 600-20, paragraph 4-21. For proper visibility, Sector Headquarters will maintain a list of active IFOs, the contact information of the fund manager, and the date the IFO was formally established.

### 10-3. Fundraising within an IFO

An IFO must obtain advance written approval to conduct a fundraiser. The Commanding Officer is the approving authority for all fundraisers within their specific units. The USMEPCOM Commander or a Sector Commander may delegate this authority to their deputy commander/executive officer, but further delegation below this level is prohibited. In accordance with AR 600-20, 4-21d, fundraisers should be limited in number

and scope during official society periods for CFC, AER, NMCRS, AFAF, CGMA, or any emergency or disaster fundraising appeal approved by OPM.

**a. Procedure.**

(1) To obtain approval for a fundraiser, the IFO must submit a written request to the OSJA for formal written legal review to ensure the fundraiser complies with law and regulation. Requests via e-mail are acceptable. The request should contain the following information:

(a) A description of the event for which the funds are being raised, to include a proposed budget for the event, justification for why a fundraiser is necessary, and the dollar amount needed to be raised to support the event.

(b) A complete description of the fundraiser, to include the nature of the event (i.e. bake sale), the date, time, location, and any other pertinent information.

(2) The OSJA will forward all fundraising requests to the appropriate Commander for approval.

**b. Restrictions.**

(1) An IFO located in HQ USMEPCOM, HQ Eastern Sector, or HQ Western Sector may conduct no more than one fundraiser per month, and no more than four fundraisers per year. MEPS IFOs should conduct only occasional fundraisers in accordance with any applicable local policies.

(2) Once an IFO has raised the amount approved by the appropriate Commander for a specific event, the IFO may not conduct any additional fundraisers for that event. An IFO may not fundraise for the sake of fundraising and then determine how to spend the funds raised.

(3) Fundraisers should be designed to minimize disruption to mission and productivity. Events should be planned well in advance and coordinated so that they do not conflict with fundraisers held by other USMEPCOM IFOs or other building tenants. The OSJA will maintain a schedule of all approved fundraisers for HQ USMEPCOM, HQ Eastern Sector, and HQ Western Sector.

(4) An IFO is also prohibited from conducting a fundraiser on the same day any fundraising event is held on site to benefit the CFC.

(5) All proceeds from any fundraiser held by an IFO must benefit the general membership of that IFO rather than a private charity, specific IFO member, or other entity.

**c. Use of Government time.**

USMEPCOM personnel who are organizing, preparing for (to include shopping), and operating a fundraiser must be volunteers on non-duty time.

(1) While conducting a brief planning session for a fundraiser on duty time is permissible (except for RSG events), IFOs may not conduct any other aspect of fundraising during official meetings held on duty time. All shopping, set up, and other preparation must be done on non-duty time. For civilian employees, the lunch period is considered non-duty time.

(2) Military personnel must obtain supervisory approval to participate in fundraising during normal duty hours, and may not wear their military uniform while engaging in fundraising activities.

[TOC](#)

(3) Supervisors are not allowed to grant excused absence or administrative leave to a civilian employee in order to participate in fundraising activities during normal duty hours. The employee may use annual leave, compensatory time or credit hours, or work on the fundraiser on their personal time.

**e. Contractor employees.**

(1) Contractor employees may never be tasked or asked to volunteer to organize or participate in fundraisers.

(2) Contractor employee time off, and the nature of the time off (leave, personal day, administrative absence) are between the contractor and its employees. Should a contractor employee volunteer to work at a fundraising event, the contractor must decide if, and under what conditions, its employees may be absent from work. USMEPCOM personnel have no authority to grant contractor employees time off to participate in fundraising activities.

**f. Solicitation.**

(1) All fundraisers should be held in USMEPCOM spaces and be targeted toward USMEPCOM personnel. All signs, flyers and e-mail messages advertising the fundraiser should identify the unit and IFO holding the fundraiser and the event for which funds are being raised.

(2) An IFO may not directly solicit non-USMEPCOM personnel (to include contractor personnel working at USMEPCOM) to donate to a fundraiser, but may accept voluntary, unsolicited donations made by non-USMEPCOM personnel. For example, organizers of a bake sale may not ask non-USMEPCOM personnel to come to the bake sale. They may, however, sell baked goods to non-USMEPCOM personnel who voluntarily ask to make a purchase.

(3) Directly approaching personnel in their workspaces (i.e. desk-to-desk or “on the job” solicitation) to solicit a donation to a fundraiser is strictly prohibited except for events held in support of the CFC.

(4) USMEPCOM personnel are prohibited from soliciting donations from vendors, on or off duty, in support of an IFO.

(5) MEPS IFOs may not directly solicit applicants or their family members.

g. **Gambling is strictly prohibited in USMEPCOM/DoD workplaces.** All fundraisers must be designed to avoid gambling. To be considered gambling, a fundraiser must have the following three elements:

- (1) The requirement that participants pay money or something else of value,
- (2) The event is a game of chance (i.e. lottery, raffle, drawing), and
- (3) The fundraiser must offer a reward or prize.

Events that do not incorporate all three of these elements are not gambling.

h. **Voluntariness.** No person may be coerced into belonging to an IFO, participating in a fundraiser, or donating to a fundraiser. All personnel, both military and civilian, have the right to give or not give as they choose.

## Chapter 11 Contractor Employees in the Workplace

### 11-1. Purpose

The purpose of this chapter is to provide guidance concerning the ethical rules USMEPCOM personnel must observe when dealing with contractor personnel in the workplace.

### 11-2. Identification of Contractor Employees

a. **Badges.** Contractor personnel must wear identification cards or badges that are clearly distinguishable from those issued to Government employees. Common Access Cards issued to contractor personnel are clearly marked with a green stripe. USMEPCOM security badges must also clearly indicate whether the bearer is a Federal employee or a contractor.

b. **Workspace.** The workspace used by a contractor should be clearly identified so that others know that the individual working in the space is a contractor and not a Federal employee.

c. **Self-identification.** Contractor personnel should identify themselves as such when attending meetings or answering Government telephones to prevent the improper disclosure of procurement sensitive or proprietary information. Government personnel should always request meeting participants to identify themselves at the beginning of meetings and ensure that they know with whom they are speaking on the telephone or during video teleconferences.

### 11-3. Participation in USMEPCOM events

a. **Office Social Function (non-duty time).** Contractor employees may be invited to office functions held during the contractor's non-duty time, and may be asked to bring food or contribute monetarily to the cost of the party as a "fair share" contribution to refreshments.

b. **Office Social Function (duty time).** Contractor employees may attend only with the permission of their employer. USMEPCOM may not reimburse the contractor for the time that the contractor employees spend at the function. The contractor must decide whether it will allow its personnel to take the time to attend the social function and whether it will pay its employees for that time.

c. **Official USMEPCOM event (duty time).** This includes Special Emphasis Events, training sessions, Organization Day and similar programs. Contractor employees may attend only with the permission of their employer. USMEPCOM may not reimburse the contractor for the time that the contractor employees spend attending the program because it is not directly related to the contract. The contractor must decide whether it will allow its personnel to take the time to attend the program or event and whether it will pay its employees for that time.

d. **Private Social Function.** A contractor employee may attend a private party hosted by a USMEPCOM staff member. If the contractor employee brings a hospitality gift, it may not exceed \$20. However, if the gift is edible (i.e. fruit basket), the USMEPCOM staff member may accept it on behalf of all the guests and share it with them, even if the gift exceeds \$20 in value.

### 11-4. Participation in Contractor events

If a contractor or a contractor employee invites a USMEPCOM staff member to a function or open house, the staff member must decline the invitation unless one of the following exceptions applies:

- a. The cost per guest of hosting the function does not exceed \$20;

- b. The invitation is based on a bona fide personal relationship with the contractor employee; or
- c. The function qualifies as a widely attended gathering and the USMEPCOM staff member's supervisor determines that it is in USMEPCOM's best interest for the staff member to attend.

#### **11-5. Gifts**

- a. Gifts from contractor employees, even during the holidays, may not exceed \$20.
- b. Federal ethics rules do not prohibit government employees from giving gifts to contractors. Many contractors, however, have codes of ethics that are similar to Federal rules and may preclude the acceptance of gifts. Always check with the contractor before including contractor employees in holiday gift exchanges.
- c. USMEPCOM personnel may not ask a contractor to contribute to a group gift, as it is considered soliciting a gift from a prohibited source. Even if the contractor employee volunteers to contribute cash, it may not be accepted.
- d. Contractor employees may participate in gift exchanges (i.e. "Secret Santa" or grab bags), as long as the gifts are chosen at random or the \$20 limit is strictly applied.

#### **11-6. Time management**

- a. A contractor employee's work schedule, including hours of duty, leave and absence due to illness, is controlled by the contractor, not USMEPCOM.
- b. Early release (i.e. "59 Minute Rule") and training holidays do not apply to contractor employees.

#### **11-7. Awards and recommendations**

- a. Contractor employees are not authorized recipients of military awards or civilian employee incentive awards.
- b. USMEPCOM may provide contractor employees with honorary awards of minimal value (i.e. certificates).
- c. A USMEPCOM staff member may write a recommendation for a contractor employee in support of an employment application in an official capacity, using USMEPCOM letterhead and official title, when:
  - (1) The reference is based on their personal knowledge of the ability or character of the individual which they gained from observing the contractor in the Federal workplace; or
  - (2) The reference is for an application for Federal employment.
- d. All awards and recommendations must first be coordinated with the appropriate contracting officer to ensure that the document will not affect the Government's business relationship with the contractor.

## Appendix A References

### *Section I*

#### *Publications referenced in or related to this publication*

**AD ~~2007-01-2017-05~~ (January 18, 2017)**

~~Policy for Travel by Department of the Army Officials-Secretary of the Army Policy for Travel by Department of the Army Senior Officials. Cited in paragraph 4-2.~~

**AR 11-2 (January 4, 2010)**

Managers' Internal Control Program

**AR 40-1 (July 1, 1983)**

Composition, Mission, and Functions of the Army Medical Department.

**AR 27-26 (June 28, 2018)**

Rules of Professional Conduct for Lawyers.

**AR 40-1 (May 24, 2019)**

Composition, Mission, and Functions of the Army Medical Department.

**AR 600-20 (November 6, 2014)**

Army Command Policy, paragraph 4-20+ Informal funds. ~~Cited in paragraphs 10-2 and 10-3.~~

**AR 600-29 (June 7, 2010)**

Fund-Raising Within the Department of the Army. ~~Cited in paragraph 10-1.~~

**AR 608-1 (October 19, 2017)**

Army Community Service Center, Appendix J (pages 40-46)

**AR 690-700 (November 15, 1981)**

Chapter 751, Table 1-1, Table of Penalties for Various Offenses. ~~Cited in paragraph 1-4.~~

**5 CFR Part 733 (January 30, 1998)**

Political Activity - --Federal Employees Residing in Designated Localities. ~~Cited in paragraph 9-2.~~

**5 CFR Part 2635 (August 7, 1992)**

Standards of Ethical Conduct for Employees of the Executive Branch. ~~Cited in paragraphs 1-4 and 3-1.~~

**5 CFR Part 2636 (April 6, 2007)**

Limitations on Outside Earned Income, Employment and Affiliations for Certain Noncareer Employees. ~~Cited in paragraph 1-4.~~

**41 CFR Part 304 (July 1, 2012)**

Payment from a Non-Federal Source for Travel Expenses. ~~Cited in paragraph 4-2.~~

**DoDD 1344.10 (February 19, 2008)**

Political Activities by Members of the Armed Forces. ~~Cited in paragraph 9-3.~~

**DoDD 5400.11 (October 29, 2014)**

DoD Privacy Program. ~~Cited in paragraph 3-1.~~

**DoDD 5500-7-R (November 29, 2007)**

~~The Joint Ethics Regulation Standards of Conduct. Cited in paragraphs 1-4, 2-2, 4-2, and 10-1.~~

**Department of Defense Employees' Guide to the Standards of Conduct. (January 2018)**

**Executive Order 12674 (Principles of Ethical Conduct for Government Officers and Employees).  
(April 12, 1989)**

~~Cited in paragraph 1-4.~~

**Joint Federal Travel Regulations, Volume 1. (October 1, 2012)** ~~Cited in paragraph 4-2.~~

**Joint Travel Regulations, Volume 2. (October 1, 2012)** ~~Cited in paragraph 4-2.~~

**Health Affairs Policy 96-050 (July 23, 1996)**

Policy for Off-Duty Employment By DoD Health Care Practitioners.

**MEDCOM REGULATION 600-3 (October 2, 2012)**

Off-Duty Employment.

**Naval Station Great Lakes Instruction (NAVSTAGLAKESINST) 5720.1A,**

Subject: Solicitation, Fund Raising, Distribution of Printed Material and Conduct of Personal Commercial Affairs (Including the Sale of Personal Insurance) onboard Naval Station Great Lakes, October 19, 2007 (on file with the OSJA)

**Title 5 United States Code (October 6, 1993)**

Government Organization and Employees, (Part III - Employees, Subchapter III Political Activities) §§ 7321 – 7326 (The Hatch Act)

**Title 10 United States Code (December 12, 2017)**

Armed Forces, Section 101(d)(5) (Armed Forces Definitions)

**Title 18 United States Code. (September 13, 1994)**

Acts Affecting a Personal Financial Interest, Section 208 (Crimes and Criminal Procedure – Bribery, Graft, and Conflicts of Interest). ~~Cited in paragraph 3-1.~~

**Title 31 United States Code Section 1353 (May 4, 1990)**

Money and Finance, (Acceptance of travel and related expenses from non-Federal sources). ~~Cited in paragraph 4-2.~~

**Title 32 United States Code**

National Guard

**USMEPCOM Regulation 25-52**

Management and Disclosure of Command Information

**USMEPCOM Regulation 700-3**

Consolidated Logistics Support

**USMEPCOM Regulation 608-1**

USMEPCOM Wellness and Readiness Program



***Section IV***

***Forms referenced in or related to this publication***

**OGE Form 450 (May 5, 2017)**

Confidential Financial Disclosure Report. ~~Cited in paragraphs 2-2, 2-3, 3-2, and 3-3.~~

**SF Form 326 (February 1998)**

Semiannual Report of Payments Accepted from a Non-Federal Source. ~~Cited in paragraph 4-3.~~

**Appendix B  
Form Examples**

**B-1. Sample: Request for acceptance of travel benefit (Non-Federal Funded Official Travel)**

(Use appropriate letterhead)

Office Symbol

Month, Day, Year

**MEMORANDUM FOR MEPS COMMANDER, SECTOR COMMANDER, BATTALION  
COMMANDER, DIRECTOR/SPECIAL STAFF OFFICER]**

**THROUGH: [IMMEDIATE SUPERVISOR’S NAME]**

**SUBJECT: Request to Accept Travel Benefits Under 31 U.S.C. 1353**

I have been offered travel benefits by [non-Federal source] to accommodate my participation in [name of meeting or similar event] on [date(s) of meeting in City, State of meeting]. I will be participating in an official capacity and travel benefits will be provided in kind or by check or similar instrument made payable to the "U.S. Treasury".

*Add a paragraph with details of the events and how the requestor will be involved. Also add a sentence with requestor’s office name/address, phone number and email address. List any other useful information to be considered. This request is to be routed thru the employee’s chain of command including the OSJA.*

Employee Signature

**B-1. Sample: Request for acceptance of travel benefit (Non-Federal Funded Official Travel)**

**B-2. Sample: Report of payments for non-Federal funded official travel**

(Use appropriate letterhead)

Office Symbol

Month, Day, Year

MEMORANDUM FOR MEPS COMMANDER, SECTOR COMMANDER, BATTALION  
COMMANDER, DIRECTOR OR SPECIAL STAFF OFFICER

THROUGH: IMMEDIATE SUPERVISOR'S NAME

SUBJECT: Report of Payments for Travel Expenses from Non-Federal Source  
Pursuant to 31 U.S.C. 1353

- Traveler Name:
- Grade or Rank:
- Position Title:
- Office Address:
- Office Telephone:
- Event Description:
- Sponsor of Event:
- Location of Event:
- Date(s) of Event:
- Travel Dates:
- Nature of Participation:
- Non-Federal Source of Payment:
- Nature of Payment (Check or in-kind payment):

- Total Value of Benefits Received (actual monetary amount):
  - Lodging:
  - Transportation along with type:
  - Meals:
  - Miscellaneous:

Employee Signature

Attachment:  
Initial Request to Accept Travel Benefits (if available)

cc:  
USMEPCOM Office of the Staff Judge Advocate

**B-2. Sample: Report of payments for non-Federal funded official travel**

**B-3. Sample: Request to engage in outside employment (military)**

(Use appropriate letterhead)

Office Symbol

Month, Day, Year

MEMORANDUM FOR (SENIOR LEADER AS APPLICABLE REFERENCE)

THROUGH: 1<sup>st</sup> LEVEL SUPERVISOR NAME, JOB TITLE, OFFICE SYMBOL  
2<sup>nd</sup> LEVEL SUPERVISOR NAME, JOB TITLE, OFFICE SYMBOL

SUBJECT: Request Approval to Engage in Outside Employment

Reference: USMEPCOM Regulation 27-2, dated September 24, 2018

In accordance with the reference, request approval to engage in the following outside employment:

- (a) Employer and Address:
  
- (b) Type of Business:
  
- (c) Duties of the Position:
  
- (d) Self Employment (including freelance work): Yes or No
  
- (e) Start Date:
  
- (f) End Date: (If unknown, enter N/A)
  
- (g) Estimated Hours of Employment per Week:
  
- (h) Does the above employer/business provide services and/or materials to the Department of Defense? (If yes, please explain)

**YES OR NO**

- (i) Does the above employer provide services to armories, military bases, or other entities supported in whole or in part by funds administered by the Department of Defense? (If yes, please explain)

**YES OR NO**

- (j) Does the Department of Defense provide services and/or materials to the above employer /business? (If yes, please explain)

**YES OR NO**

As a uniformed service member, I understand I am expected to continue to perform my military duties as directed by my chain of command, whether during normal duty hours or outside normal duty hours. I also understand if my outside employment interferes with these duties, my approving authority may deny or revoke permission to continue the outside employment.

I understand that I may not engage in outside employment that interferes or is in conflict with the performance of my USMEPCOM duties; that inhibits my ability to satisfactorily perform my mission; that prevents me from reporting to work for my USMEPCOM position physically and mentally capable of performing my duties at an acceptable level; or that may be reasonably expected to bring discredit or criticism against me, USMEPCOM, or the Department of Defense.

As a condition of my outside employment, I agree to not use Government facilities, time, equipment, material and/or supplies for any activity which supports or directly relates to my outside employment.

In accordance with the reference, I further agree to inform my approving authority within 7 days of terminating or making changes to the employment conditions above and will renew this request in writing annually should my outside employment continue.

Military Member's Name  
Rank, Service

**B-3. Sample: Request to engage in outside employment (military)**

**B-4. Sample: Notice of intent to engage in outside employment (civilian)**

(Use appropriate letterhead)

Office Symbol

Month, Day, Year

MEMORANDUM FOR (SENIOR LEADER AS APPLICABLE PER REFERENCE)

THROUGH: 1<sup>st</sup> LEVEL SUPERVISOR NAME, TITLE, OFFICE SYMBOL  
2<sup>nd</sup> LEVEL SUPERVISOR NAME, TITLE, OFFICE SYMBOL

SUBJECT: Notice of Intent to Engage in Outside Employment

Reference: USMEPCOM Regulation 27-2, dated September 24, 2018

In accordance with the reference, this memorandum serves as my notice (of intent to engage) or (that I am currently engaging) in outside employment, as follows:

- (a) Employer and Address:
  
- (b) Type of Business:
  
- (c) Duties of the Position:
  
- (d) Self Employment (including freelance work): Yes or No
  
- (e) Start Date:
  
- (f) End Date (if known):
  
- (g) Estimated Hours of Employment per Week:
  
- (h) Does the above employer/business provide services and/or materials to the Department of Defense? (If yes, please explain)

**YES OR NO**

- (i) Does the above employer provide services to armories, military bases, or other entities

[TOC](#)

supported in whole or in part by funds administered by the Department of Defense? (If yes, please explain)

**YES OR NO**

- (j) Does the Department of Defense provide services and/or materials to the above employer /business? (If yes, please explain)

**YES OR NO**

I understand that I may not engage in outside employment that interferes or is in conflict with the performance of my USMEPCOM duties; that inhibits my ability to satisfactorily perform my mission; that prevents me from reporting to work for my USMEPCOM position physically and mentally capable of performing my duties at an acceptable level; or that may be reasonably expected to bring discredit or criticism against me, USMEPCOM, or the Department of Defense.

I agree to not use Government facilities, time, equipment, materials and/or supplies for any activity which supports or directly relates to my outside employment.

In accordance with the reference, I further agree to inform my supervisor within 7 days of terminating or making changes to the employment conditions above and will re-submit this notice annually if my outside employment continues.

Civilian Employee Name

**B-4. Sample: Notice of intent to engage in outside employment (civilian)**



**B-5. Sample: Notice of intent to engage in outside medical employment**

(OFFICE SYMBOL)

(DATE)

MEMORANDUM THRU

(APPROPRIATE DIRECTOR)

FOR Supervisor, (MEPCOM ACTIVITY)

SUBJECT: Request for Off-Duty Professional Employment

1. In accordance with AR 40-1, Paragraph 1-8, MEDCOM Regulation 600-3, and UMR 27-2, I request permission to engage in remunerative professional off-duty employment apart from my assigned military (or civilian healthcare practitioner) duties.

a. Type of employment and nature of work: \_\_\_\_\_

b. Beginning date: \_\_\_\_\_

c. Hours per day: \_\_\_\_\_ Number of days per week: \_\_\_\_\_

Total hours per week: \_\_\_\_\_

d. Location of work: \_\_\_\_\_  
(name and address of employer)

e. Telephone number at place of employment: \_\_\_\_\_

f. Waiting period for patient appointments in my assigned clinic/MEDCOM activity area: \_\_\_\_\_ days.

(OFFICE SYMBOL)

SUBJECT: Request for Off-Duty Professional Employment

2. I understand the regulatory provisions concerning off-duty employment, and I agree to conduct any off-duty employment activities in accordance with those provisions. Further, I understand that:

a. It is my obligation to inform my commander in writing of any change in my proposed off-duty employment, as set forth in this memorandum, before the inception of such change.

b. I will not assume outside responsibilities that will in any manner compromise the effective discharge of my duties as an officer (or civilian healthcare practitioner) in the U.S. Army Medical Department, both as to the number of hours devoted to outside work and my individual limit and capacity.

3. I recognize that I am prohibited from, and cannot in good conscience engage in a private (solo) practice, or assume responsibility for the medical or dental care of any patient on a continuing basis; to do so could result in the compromise of my responsibility to the patient on the one hand or the primacy of my military (or Federal) obligation on the other.

4. I acknowledge that I am prohibited by federal law from receiving additional compensation, either directly or indirectly, for health services provided to DOD, CHAMPUS, or TRICARE beneficiaries.

5. I hereby authorize:

a. My off-duty employer to release to the commander, or his designated representative, information concerning the type of employment and nature of work, beginning and ending dates of employment, hours worked per week, number of days per week, and location of employment.

b. Medical insurance companies to release to the commander, or his designated representative, information concerning my registration as an eligible provider of services with medical insurance companies, if applicable--and if associated with a medical practice--identification of the clinic, hospital, or group medical practice associated with its business address and phone number.

(OFFICE SYMBOL)

SUBJECT: Request for Off-Duty Professional Employment

c. For the commander, or his designated representative, to release my social security number in association with these inquiries.

6. I have enclosed an assessment of the impact of the proposed employment on the civilian community and practitioners.

7. I will submit not later than the 10th of each month a report detailing the number of hours worked during the previous month, including employer verification of that information.

Encl

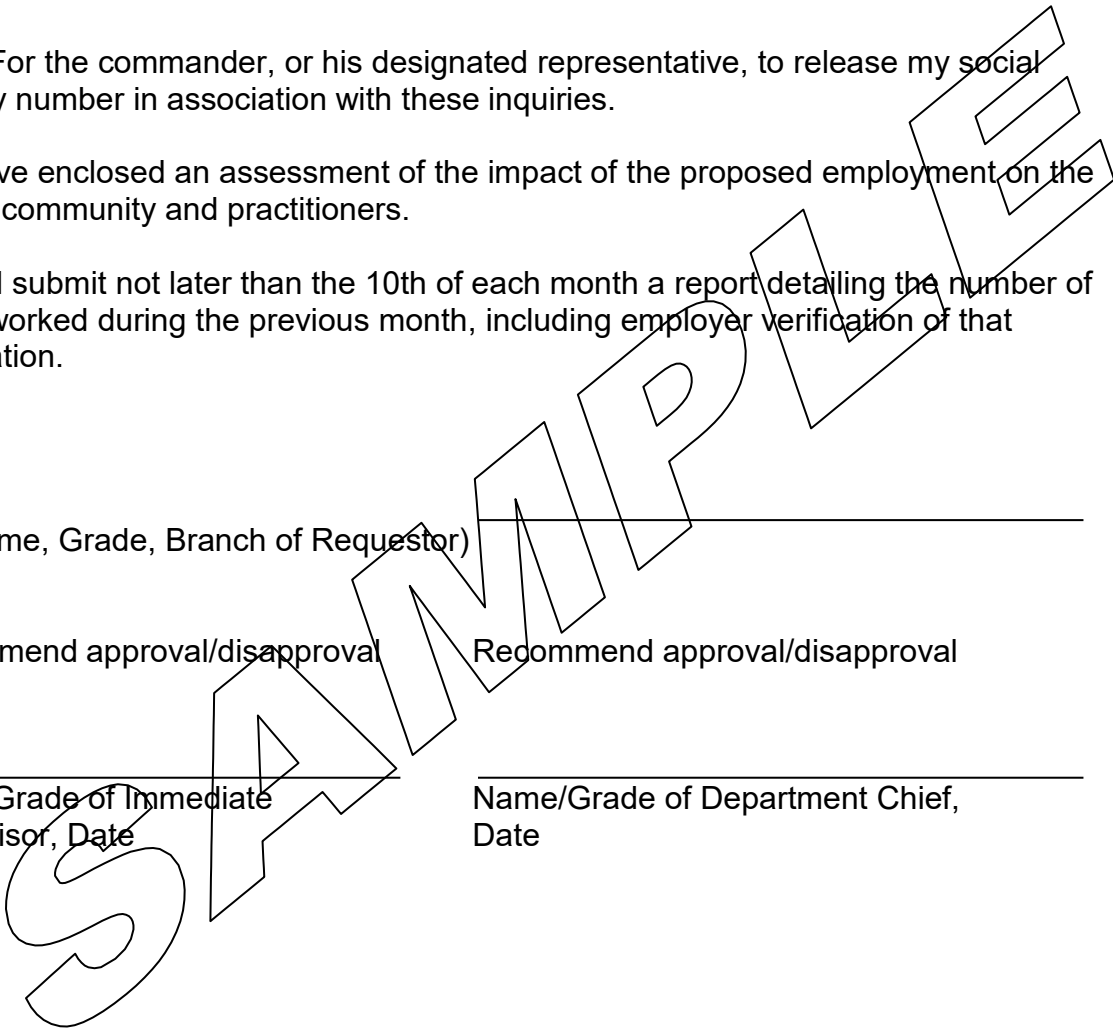
(Name, Grade, Branch of Requestor)

Recommend approval/disapproval

Recommend approval/disapproval

Name/Grade of Immediate  
Supervisor, Date

Name/Grade of Department Chief,  
Date



**B-5. Sample: Notice of intent to engage in outside medical employment**

**B-6. Sample: Creating an informal fund**

(Use appropriate letterhead)

Office Symbol

Month, Day, Year

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: \_\_\_\_\_(Headquarters, Sector, Battalion, MEPS) Informal Fund

PURPOSE: The purpose of this memorandum is to create an informal fund in accordance with AR 600-20 (Army Command Policy), paragraph 4-21. The goal of this fund is to create a mechanism to source \_\_\_\_\_(Headquarters and/or Sector / Battalion / MEPS-wide) functions that may not be legally funded with appropriated funds.

FUND CUSTODIAN: The primary custodian of this fund is \_\_\_\_\_, phone number \_\_\_\_\_. This individual is responsible for fund custody, accounting, and documentation. This appointment is effective the date assigned and ends when officially released or relieved of the appointment. This paragraph may be amended to effect the appointment of a new custodian without voiding or otherwise altering the remainder of this memorandum.

a. The fund custodian will set up a formal checking account at a local bank bearing the name "Fort Excellence \_\_\_\_\_(Fund/Committee)." The fund custodian will safeguard the funds by immediately depositing all funds into this account. No funds will be left undeposited or unsecured.

b. The fund custodian must report annually to the appropriate Commander, concerning the status of the fund, to include expenditures and assets. That Commander may also require an accounting audit upon the occurrence or suspicion of irregularities associated with the fund. Unannounced account audits may also be conducted to verify balances.

c. The fund custodian will collect all donations made to the fund and deposit said funds into the formal checking account.

d. The fund custodian will disburse the funds for expenses associated with appropriate functions and other approved circumstances.

e. The fund custodian will administer fund business during off-duty hours.

FUNDRAISING. The fund will only fundraise within the organization for which it was approved and may not fundraise or solicit from the community outside of the Command. All fundraising activities must be conducted by members of the fund only and only in an off-duty status; that is, neither the Command, subordinate Commanders nor the custodian will task military personnel to work in a fundraising detail, nor offer any incentives (such as time off or relief from other duties or details) in exchange for participation in a fundraiser. Military personnel may volunteer to participate in fundraising while not in uniform and supervisors may grant time for military personnel to participate subject to mission requirements.

[TOC](#)

All fundraising will be conducted in accordance with AR 600-29 (Fund-Raising Within the Department of the Army), and DoD 5500.7-R (The Joint Ethics Regulation) and USMEPCOM Regulation 27-2 (Ethics Regulation). All fundraising will receive a legal review and be approved by the appropriate Commander. In accordance with AR 600-20, paragraph 4-21d, fundraisers should be limited in number and scope during the official Combined Federal Campaign (CFC), or other official societies fundraising periods; Army Emergency Relief (AER), Navy-Marine Corps Relief Society (NMCRS), Air Force Assistance Fund (AFAF), and Coast Guard Mutual Assistance (CGMA), or any emergency or disaster fundraising appeal approved by OPM, in order to minimize competition.

FUND BENEFITS AND DISBURSEMENTS. Use of the fund is limited to expenses consistent with the purpose and function of the fund as outlined above. Members of the \_\_\_\_\_ (Headquarters and/or Sector / Battalion / MEPS-wide) will receive equal benefit of the fund. The fund custodian is authorized to disburse funds for any expenses in association with the functions authorized. Examples of proper expenditures are costs for food, catering, supplies, decorations, beverages, entertainment, reservation fees, and parking fees. Under no circumstances will funds be used to purchase alcohol or pay for the costs of alcoholic beverage bills such as bar tabs. Funds may also be used to purchase supplies required for fundraisers so long as the fund is reimbursed with the proceeds of the fundraiser.

POC for this memorandum is the USMEPCOM Office of the Staff Judge Advocate at 847-688-3680 x7555.

I. M. Incharge  
COL, USA  
Commanding

#### **B-6. Sample: Creating an informal fund**

**Appendix C**  
**Glossary**

***Section I***  
***Abbreviations***

**AER**

Army Emergency Relief

**AFAF**

Air Force Assistance Fund

**AR**

Army Regulation

**ARNG**

Army National Guard

**AVMF**

Amusement and Vending Machine Fund

**CFC**

Combined Federal Campaign

**CFR**

Code of Federal Regulations

**CGMA**

Coast Guard Mutual Assistance

**CMO**

Chief Medical Officer

**COR**

Contracting Officer Representative

**DAEO**

Designated Agency Ethics Official

**DC**

District of Columbia

**DoD**

Department of Defense

**DoDD**

Department of the Defense Directive

**EAD**

Extended Active Duty

**E.O.**

Executive Order

**FMV**

Fair Market Value

**FDM**

Financial Disclosure Management

**GOV**

Government Owned Vehicle

**GPC**

Government Purchase Card

**GSA**

United States Services Administration

**HQ USMEPCOM\***

Headquarters, United States Military Entrance Processing Command

**IFO/IFOs**

Informal Fund Organization/Informal Fund Organizations

**IG**

Inspector General

**JER**

Joint Ethics Regulation

**JFTR**

Joint Federal Travel Regulation (Military)

**JTR**

Joint Travel Regulation (Civilian)

**MEPS\***

Military Entrance Processing Station

**MWR**

Morale, Welfare, and Recreation

**NMCRS**

Navy-Marine Corps Relief Society

**OGE**

Office of Government Ethics

**OPM**

Office of Personnel Management

**PCS**

Permanent Change of Station

**PDF**

Portable Document Format

**PII**

Personally Identifiable Information

**RSG/RSGs**

Readiness Support Group/Readiness Support Groups

**SF**

Standard Form

**SOC**

Standards of Conduct

**SOCO**

Standard of Conduct Office

**TDY**

Temporary Duty

**UCMJ**

Uniform Code of Military Justice

**USC**

United States Code

**USMEPCOM\***

United States Military Entrance Processing Command

**USOGE**

United States Office of Government Ethics

**WAG**

Widely Attended Gathering

\*USMEPCOM-unique acronym.

***Section II***

***Terms***

**Definitions**

a. The term “gift” is broadly defined as anything having a monetary value, which includes any gratuity, favor, service, discount, loan, entertainment, hospitality, or forbearance. It includes meals, lodging, transportation, and training.

b. The term “gift” does not include:



[TOC](#)

(1) Modest items of food and refreshments, such as coffee and donuts, which are not intended to be served as a meal.

(2) An item with little commercial value, such as a greeting card, plaque, certificate, or trophy, intended only for presentation.

(3) Commercial benefits available to the general public or to all Government personnel or military personnel such as discounts and benefits. This includes favorable rates for Government personnel and or military personnel.

(4) Rewards and prizes given to competitors in contests or events, including random drawings, that are open to the public when entry is not part of official duties. This does not include automatic registration in a drawing for conference attendees, completing a conference evaluation sheet which enters the participant into a drawing, or when purchasing a specified amount of goods.

(5) Anything for which the recipient pays Fair Market Value (FMV).

(6) Anything accepted by the Government in accordance with agency gift acceptance statutes (for example, token corporate gifts for distribution by the agency).

(7) Anything paid for or secured by the Government under a Government contract or otherwise by legal acceptance. This also applies to anything that has been accepted by the Government under statute.

c. Prohibited source means any person who:

(1) Is seeking official action by USMEPCOM or any DoD component;

(2) Does business or seeks to do business with USMEPCOM or any DoD component;

(3) Conducts activities regulated by USMEPCOM or any DoD component;

(4) Has interests that may be substantially affected by performance or nonperformance of the USMEPCOM member's official duties; or

(5) Is an organization whose members are a majority of those described in Section c (1 thru 4) above.