

# SOCO ADVISORY

**Department of Defense  
Office of General Counsel  
Standards of Conduct Office**

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## 1. Gifts in Connection with Ship Launch and Similar Ceremonies

This Advisory clarifies paragraph 2-300(b) of the Joint Ethics Regulation (JER) (DoDD 5500.07-R, Change 7), “Ship Launch and Similar Ceremonies.” This guidance will be incorporated into the next revision of the JER.

Public Law 99-145 (99 Stat. 765, Section 1461) added a note to 5 U.S.C. § 7301 limiting gratuities at naval shipbuilding ceremonies with an exception for a “gift or memento that has a value of less than \$100.” However, the Senate Armed Services Committee has indicated that this law may not be extended to include aircraft rollout or similar ceremonies. The intent of the law was to allow an acceptance authority for certain tangible gifts or mementos valued at less than \$100 for naval shipbuilding ceremonies. At present, no equivalent statutory authority exists for aircraft or similar vehicle related ceremonies.

Accordingly, ethics counselors may not rely on the language in JER 2-300(b) that purports to extend the limited authority of the note in 5 U.S.C. § 7301 to gratuities at “aircraft completion or similar vehicle launch or roll-out.” DoD personnel may only accept gifts at aircraft or similar vehicle launch or rollout ceremonies in accordance with the exclusions and exceptions found at 5 C.F.R. 2635 Subpart B or other statutory authority, e.g., 31 U.S.C. § 1353.

Unsolicited tangible gifts or mementos from the same source that have a value of less than \$100 and which are offered in connection with a ceremony to mark the completion of a milestone in shipbuilding may be accepted directly or indirectly by DoD personnel, as long as the aggregate market value per ceremony does not exceed \$100 and the cost is not borne by the Federal Government. (See 5 U.S.C. 7301 note) Milestones in shipbuilding include keel laying, launching, christening, and commissioning. “Accepted indirectly” will have the meaning stated in 5 C.F.R. 2635.203(f). When such gifts exceed the \$100 limit, the recipient must dispose of the gift in accordance with 5 C.F.R. 2635.206 or forward the gift to the appropriate DoD Component official for disposition as a gift to the Federal Government. Such gifts should be declined where acceptance could call into question the integrity of DoD employees or programs.

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