INFORMATION PAPER

ATZK-JAM 25 August 2008

SUBJECT: Acceptance of Foreign Gifts

1. PURPOSE. To summarize restrictions associated with the acceptance of gifts from foreign governments.

2. SUMMARY.

a. DoD employees (including members of the uniformed services) MAY NOT request or encourage the giving of gifts from foreign governments. Gifts to Soldiers or DoD civilians by foreign servicemembers are presumed to be gifts from a foreign government.

b. DoD employees MAY accept:

(1) Gifts of minimal value (not in excess of $335 retail value in the United States at time of acceptance).

(2) If more than one gift is given at a single presentation from the same donor to one employee, the value of the gifts must be aggregated. Gifts from different officials of the same foreign government at the same presentation must be aggregated. If gifts are from different governmental levels (i.e., national, state, local, and municipal), the gift value is to be aggregated separately. Gifts received at separate presentations, even on the same day and/or from the same foreign official, are separate gifts; their values are not aggregated.

(3) Gifts to the spouse of a DoD employee are deemed to be gifts to the DoD employee, and gifts from a foreign official's spouse are deemed gifts from the foreign official.

c. Gifts of more than minimal value may be accepted *on behalf of the United States* if refusing the gift would offend or embarrass the donor or adversely affect foreign relations. The gift becomes government property.

(1) Gifts retained by the Army must be used for benefit of all employees. GSA must be notified by SF 120, "Report of Excess of Personal Property," within 30 days following termination of official use. Gifts that the Army does not wish to retain must be reported to the GSA within 30 days and held by the component pending disposition instructions from GSA.

(2) Gifts for which GSA determines there are no federal requirements may be sold to the recipient for the appraised value of the gift.

3. ADDITIONAL INFORMATION. Questions and inquiries relating to foreign gifts may be addressed to the Military Law and Ethics Division at 4-7414.