



UNITED STATES MARINE CORPS
MARINE FORCES RESERVE
MARINE FORCES NORTH
2000 OPELOUSAS AVENUE
NEW ORLEANS, LA 70114-1500

IN REPLY REFER TO
5215
CL

DEC 11 2014

FORCE POLICY LETTER 5-14

From: Commander
To: Distribution List

Subj: ACCEPTING GIFTS, FOOD, REFRESHMENTS, OR ENTERTAINMENT AT
EVENTS IN A FOREIGN AREA

Ref: (a) 5 C.F.R. § 2635.204
(b) ALNAV 077/14

1. Purpose. To reinforce ethical behavior throughout Marine Forces Reserve (MARFORRES) and Marine Forces North (MARFORNORTH) regarding accepting gifts in foreign areas from contractors and those who seek to become contractors.

2. Information. It is my intent to ensure all personnel are aware of and follow the rules and guidance provided in reference (a) and (b). The references permit exceptions to the general rule that Executive Branch employees shall not, directly or indirectly, solicit or accept gifts that are given because of the employee's official position or gifts that are given by contractors or those who seek to become contractors.

a. Under 5 C.F.R. § 2635.204(i), in reference (a), when on duty in a foreign area, MARFORRES and MARFORNORTH personnel may accept meals, refreshments and entertainment in the course of breakfast, lunch, dinner or other meetings if:

(1) The market value of the gifts in U.S. dollars is less than the full per diem rate (lodging + meals + incidentals) in the area.

(2) There is participation in the event by non-U.S. citizens or by representatives of foreign governments or by other foreign entities;

(3) Attendance at the meeting is part of the individual's official duties; and

(4) The gift is not from a foreign government.

DISTRIBUTION STATEMENT A: Approved for public release;
distribution is unlimited

FORCE POLICY LETTER 5-14

- b. Official duties may include, but are not limited to:
- (1) Obtaining or disseminating information;
 - (2) Representation the United States;
 - (3) Advancing the programs or operations of the Department of the Navy (DoN) or Department of Defence (DoD);
 - (4) Advancing the U.S. mission in the foreign area.

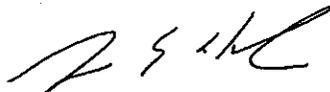
c. In order to utilize the exception found at 5 C.F.R. § 2635.204(i), in reference (a), MARFORRES and MARFORNORTH personnel must obtain prior written determination (emails qualify) from a General Officer or member of the Senior Executive Series (SES) that participation in the event is official. After the fact approvals are not authorized. At a minimum, requests for such approval should include: the nature of the event; who will be present; will other U.S. personnel be attending; and what we intend to accomplish at the event.

d. Before issuing such a written determination, the decision maker must consult with the MARFORRES Counsel.

e. No one within MARFORRES or MARFORNORTH is authorized to make a self-determination that participation in such an event is official. Thus, GOs/SESSs should seek approval of the next higher General Officer in their chain of command.

f. All personnel are reminded that it is always acceptable, and often a good idea, to decline a gift.

3. Scope. This Force Policy Letter applies to all MARFORRES and MARFORNORTH personnel. All questions regarding the application of the 5 C.F.R. § 2635.204(i) exception should be addressed to the MARFORRES Counsel's Office prior to initiating any action.



G. T. HABEL
Executive Director

DISTRIBUTION STATEMENT C, D:

Directives issued by this Headquarters are published and distributed electronically.