 Subject: READDRESS JUDICIOUSNESS IN DEALING WITH HUSBANDING CONTRACTORS// COMNAVAIRPAC SAN DIEGO CA 031642Z AUG 12 UNCLAS R

Importance: Low

UNCLASSIFIED//

RTTUZYUW RUCOSSA0001 2161642-UUUU--RHMCSUU.
ZNR UUUUU
R 031642Z AUG 12 ZYB
FM COMNAVAIRPAC SAN DIEGO CA
TO USS ENTERPRISE
USS NIMITZ
USS DWIGHT D EISENHOWER
USS CARL VINSON
USS THEODORE ROOSEVELT
USS ABRAHAM LINCOLN
USS GEORGE WASHINGTON
USS JOHN C STENNIS
USS HARRY S TRUMAN
USS RONALD REAGAN
USS GEORGE H W BUSH
INFO COMPACFLT PEARL HARBOR HI
COMNAVAIRLANT NORFOLK VA
BT
UNCLAS//N05720/
SUBJ/READDRESS JUDICIOUSNESS IN DEALING WITH HUSBANDING CONTRACTORS// POC EMAIL @NAVY.MIL// CIV//UNIT:COMNAVAIRPAC N41 NAME:SAN DIEGO CA TEL 1/6/1 TEL:DSN 1/6/1
AMPN/REF A IS COMPACFLT POLICY ON JUDICIOUSNESS IN DEALING WITH HUSBANDING CONTRACTORS// RMKS/1. REF A IS QUOTED BELOW IN ITS ENTIRETY. THIS POLICY, PROVIDES SPECIFIC GUIDANCE ON ETHICS ISSUES THAT MAY ARISE WHEN ENGAGED WITH HUSBANDING CONTRACTORS. REQUEST WIDEST DISSEMINATION.
2. COMMANDS SHOULD CAREFULLY EVALUATE THEIR CONDUCT WHEN INTERFACING WITH HUSBANDING CONTRACTORS AS THE POSSIBILITY EXISTS FOR BEING CALLED INTO QUESTION OVER GIFTS RECEIVED AND OTHER ETHICS SITUATIONS. CVN SUPPLY OFFICERS AND COMMAND JUDGE ADVOCATES SHOULD BECOME FAMILIAR WITH THIS GUIDANCE AND ADVISE THE CHAIN OF COMMAND AS REQUIRED.

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3. QUESTIONS BEYOND THE SCOPE OF THIS GUIDANCE SHOULD BE REFERRED TO COMNAVAIRPAC AT OR MS.

QUOTE
R 190105Z JUL 12 ZYB
FM COMPACFLT PEARL HARBOR HI
TO RUOIABD/COMNAVAIRPAC SAN DIEGO CA
RUOIAAA/COMNAVSURFPAC SAN DIEGO CA
RHHMDBA/COMSUBPAC PEARL HARBOR HI
RHOVVKG/COMSEVENTHFLT
RHOVQUE/COMTHIRDFLT
INFO RUOIAAA/COMPAACFLT PEARL HARBOR HI
RHMFISS/COMPAACFLT PEARL HARBOR HI
SECINFO/-/-/
MS
GID/GENADMIN,USMTF,2008/COMPACFLT PEARL HARBOR HI// /JUDICIOUSNESS IN DEALING WITH
HUSBANDING CONTRACTORS// POC TEL
EMAIL
RMKS/1. PACFLT COMMANDING OFFICERS AND OTHER PERSONNEL ARE REQUESTED TO CONSULT
WITH A STAFF JUDGE ADVOCATE (SJA) PRIOR TO ACCEPTING OFFERS AND RECEIPT OF
TRANSPORTATION, LODGING, MEALS OR ENTERTAINMENT FROM HUSBANDING CONTRACTORS.
2. BACKGROUND. COMMANDING OFFICERS THROUGHOUT THE NAVY ARE EXPECTED TO MAINTAIN
THE HIGHEST ETHICAL STANDARDS FOR THEMSELVES AND THEIR CREWS. SUBORDINATE COMMANDS
WILL ENSURE THAT ALL PERSONNEL, AFLOAT OR ASHORE, IN POSITIONS AUTHORIZED TO EXPEND
GOVERNMENT FUNDS, INCLUDING COMMANDING OFFICERS, EXECUTIVE OFFICERS, OFFICERS-IN-
CHARGE, STAFF OFFICERS, AND THOSE WITH CONTRACTING OR ORDERING OFFICER AUTHORITY,
REVIEW THE JOINT ETHICS REGULATION (JER) AND ADHERE TO ITS GUIDELINES.
CURRENT DOD ETHICS TRAINING IS AVAILABLE ONLINE AT:
HTTPS://DONOGC.NAVY.MIL/ETHICS OR HTTP://ETHICS/NAVY.MIL.
3. POLICY REFRESHER. IT IS OUR RESPONSIBILITY TO BE GOOD STEWARDS OF TAXPAYER RESOURCES,
WHICH REQUIRES A WORKING KNOWLEDGE OF THE JER LIMITATIONS CONCERNING THE EXTENT TO
WHICH GOVERNMENT OFFICIALS MAY ACCEPT TRANSPORTATION, LODGING, MEALS, ENTERTAINMENT,
OR OTHER GIFTS FROM GOVERNMENT CONTRACTORS. WHILE THERE ARE SPECIALIZED EXCEPTIONS AS
TO WHAT IS CONSIDERED A GIFT OR NOT, GOVERNMENT OFFICIALS ARE GENERALLY RESTRICTED FROM
ACCEPTING GIFTS VALUED AT MORE THAN 20 USD FROM A CONTRACTOR AT ONE TIME AND MAY NOT
ACCEPT GIFTS TOTALING PAGE 03 RHHMHA0089 UNCLAS MORE THAN 50 USD FROM A SINGLE
CONTRACTOR OVER THE COURSE OF A YEAR. SEE 5 CFR 2635.204(A). ANOTHER GIFT EXCEPTION
INVOLES MEALS, REFRESHMENTS, AND ENTERTAINMENT IN FOREIGN AREAS, PROVIDED THAT:
(1) THE MARKET VALUE OF THE GIFTS, AS CONVERTED TO US DOLLARS, DOES NOT EXCEED THE PER
DIEM RATE FOR THE FOREIGN AREA AS SPECIFIED IN THE US DEPARTMENT OF STATE’S MAXIMUM PER
DIEM ALLOWANCES FOR FOREIGN AREAS, (2) THERE IS PARTICIPATION IN THE MEETING OR EVENT BY
NON-US CITIZENS OR BY REPRESENTATIVES FROM FOREIGN GOVERNMENTS OR OTHER FOREIGN
ENTITIES, (3) ATTENDANCE IS PART OF THE EMPLOYEE’S OFFICIAL DUTIES TO OBTAIN INFORMATION,
DISSEMINATE INFORMATION, PROMOTE THE EXPORT OF US GOODS AND SERVICES, REPRESENT THE
UNITED STATES OR OTHERWISE FURTHER PROGRAMS OR OPERATIONS OF THE NAVY OR US MISSION IN
THE FOREIGN AREA, AND (4) THE GIFTS ARE FROM A PERSON OTHER THAN A FOREIGN GOVERNMENT.
SEE 5 CFR 2635.204(I). THE GOVERNMENT OFFICIAL IS RESPONSIBLE FOR DETERMINING THE FAIR
MARKET VALUE OF ANY GIFTS ACCEPTED. A RECEIPT FROM THE CONTRACTOR IS NOT PROOF OF VALUE
PER SE.
4. RELATIONSHIPS WITH CONTRACTORS. ONE PARTICULAR AREA OF CONCERN IS MAINTAINING PROPER BUSINESS RELATIONSHIPS WITH HUSBANDING CONTRACTORS. PACFLT COMMANDING OFFICERS AND OTHER PERSONNEL DEALING WITH HUSBANDING CONTRACTORS WILL REFRAIN FROM ACCEPTING AND PERSONALLY BENEFITING FROM ANY PRODUCT OR SERVICE, INCLUDING RECEIPT OF TRANSPORTATION, REDUCED ROOM RATES, MEALS, OR ENTERTAINMENT FROM CONTRACTORS UNLESS AUTHORIZED UNDER CURRENT DOD RULES AND REGULATIONS. MOREOVER, PACFLT POLICY IS THAT THE GIFT EXCEPTION IN 5 CFR 235.204(I) DOES NOT JUSTIFY ACCEPTING TRANSPORTATION, LODGING, MEALS OR ENTERTAINMENT FROM OVERSEAS CONTRACTORS WHILE CONDUCTING ROUTINE BUSINESS FOR SUPPLIES OR SERVICES DELIVERED BY THE CONTRACTOR. IN ALL CASES, PERSONNEL SHOULD CONSULT THEIR JAG/LEGAL COUNSEL, CONTRACTING OFFICER AND SUPPLY STAFFS BEFORE ACCEPTING ANY GOODS OR SERVICES FROM CONTRACTORS DOING BUSINESS WITH THE US GOVERNMENT, PARTICULARLY IF SUCH GOODS OR SERVICES APPEAR TO BE A GIFT PROVIDED FOR THE PERSONAL BENEFIT OF THE RECIPIENT.

5. REQUIRED PACFLT DOCUMENTATION: EFFECTIVELY IMMEDIATELY, SHOULD GIFTS, TO INCLUDE GIFTS OF TRANSPORTATION, LODGING, MEALS, OR ENTERTAINMENT BE ACCEPTED FROM CONTRACTORS DURING EVENTS SUCH AS DEPLOYMENT PLANNING MEETINGS OR PORT PLANNING VISITS OR OTHER MEETINGS, PACFLT COMMANDING OFFICERS AND OTHER PERSONNEL SHALL REPORT THE ACCEPTANCE OF SUCH GIFTS TO A SJA WITHIN THE RECIPIENT’S IMMEDIATE CHAIN OF COMMAND, INCLUDING AN EXPLANATION OF HOW THE VALUE OF THE GIFTS WERE CALCULATED AND THE APPROPRIATE BASIS FOR ACCEPTANCE. REPORTS MAY BE MADE ORALLY OR IN WRITING. SJAS WILL DOCUMENT THE ACCEPTANCE OF GIFTS, THEIR VALUE, AND BASIS FOR ACCEPTANCE AND RETAIN THAT DOCUMENTATION FOR ONE YEAR.

6. POINTS OF CONTACT: AT NAVY.MIL, COMM AT)NAVY.MIL, COMM OR AT) NAVY.MIL, COMM UNQUOTE// BT #0001

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