

**BY ORDER OF THE COMMANDER
AIR EDUCATION AND TRAINING
COMMAND**



**AIR FORCE INSTRUCTION 51-601
AIR EDUCATION AND TRAINING COMMAND
Supplement 1
30 JANUARY 2004**

Law

**GIFTS TO THE DEPARTMENT OF THE
AIR FORCE**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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"The basic publication has changed; however, the only revisions required in this supplement were made in the date line, OPR line, leadline, supersession line, certifying, and approving authorities."

AFI 51-601, 26 November 2003, is supplemented as follows:

NOTE: Maintain and dispose of records created as a result of processes prescribed in this publication in accordance with AFMAN 37-139, *Records Disposition Schedule*.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

1.1. **Authority to Accept or Reject Gifts.** This authority only pertains to gifts offered to the Air Force. It does not pertain to gifts, benefits, prizes, discounts, travel, and other items offered or given to individual Air Force employees. Gifts to individual employees may only be accepted and processed in accordance with DoD 5500.7-R, *Joint Ethics Regulation (JER)*, sections 2-100, 2-202, and 2-203.

1.3.2. Authority is redelegated to the commanders of Air University, 59th Medical Wing, Second Air Force, and Nineteenth Air Force. Such authority may be redelegated to wing commanders but may not be further redelegated.

1.3.9. Such redelegation must be in writing with a copy of such delegation letter provided to the numbered air force (NAF) staff judge advocate (SJA). Whether or not this authority is redelegated, installation commanders have authority to accept gifts to the Air Force of tangible or intangible personal property valued at \$5,000 or less.

1.3.10. Travel payments provided by non-Federal sources to Air Force employees under 31 U.S.C. 1353 and 5 U.S.C. 4111 in connection with TDY travel are considered gifts to the Air Force, not to the individual. There are specific procedures concerning the authority to accept such payment and when written advance approval from the SJA is required. DoD 5500.7-R, section 4-100, provides guidance on the processing of these travel payments.

1.4.2. Authority is redelegated to the commanders of Air University, 59th Medical Wing, Second Air Force, and Nineteenth Air Force. Such authority may be redelegated to wing commanders but may not be further redelegated.

2.1. **Method of Offering Gifts.** Coordinate all unconditional offers of gifts to the Air Force through the servicing SJA before accepting or rejecting them. The SJA's legal review will advise whether the gift may be accepted and whether the SJA concurs in the proposed processing and disposition.

3.2. **Acceptance of Conditional Gifts.** Coordinate all conditional offers of gifts to the Air Force through the servicing SJA before accepting or rejecting them. The SJA's legal review should advise whether the gift may be accepted and whether SJA concurs in the proposed processing and disposition.

5.2. **Acceptable Gifts.** The recipients of such items may not be distinguished by virtue of grade or position, and the Air Force is responsible for distributing the items to Air Force employees. AFI 34-201, *Use of Nonappropriated Funds (NAFs)*, governs the authority of installation commanders or Services commanders to accept unsolicited gifts and donations offered to nonappropriated funds instrumentalities (NAFIs) for the health, welfare, and benefit of Air Force personnel. Under AFI 34-201 installation commanders currently have authority to accept donations to NAFIs valued at \$1,000 or less, but greater authority may be delegated to them.

5.2.1. (Added) The basic AFI does not apply to unsolicited gifts offered by non-Federal sources to the Air Force to be given to members of the Air Force as prizes or awards in connection with officially authorized recognition programs or honorary awards for meritorious public achievement or service, such as Airman of the Month or Top Recruiter–Operation Blue Suit. Acceptance (on a one-time or recurring basis) of such unsolicited gifts to the Air Force of awards from local businesses that are offered as public recognition of exemplary duty performance by Air Force employees is normally proper. Individual employees should be careful when gifts (awards or prizes) are offered by DoD contractors, and they should consult the SJA in these cases. Individual employees may accept an award or prize gift from non-Federal sources if the aggregate value is \$200 or less. A gift (award or prize) valued over \$200 may be accepted if the SJA makes a written determination that, according to DoD 5500.7-R, chapter 2-100, the gift is a bona fide award and award recipients are selected on the basis of established criteria.

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