

FAQs – Ethical Guidelines During the Lapse

Guidelines for all Coast Guard members and employees:

Q1. Do ethics rules still apply during the lapse?

A. Yes. All federal ethics rules still apply to employees including military and civilian members whether furloughed or not.

Q2. Do ethics rules apply to my family members?

A. The rules don't apply to family members, but, for purposes of the ethics rules, gifts solicited or accepted by a parent, spouse, sibling, child, dependent relative or a member of your household with your knowledge and acquiescence will be treated like they were given to you. Members of Coast Guard Spouse's Clubs must adhere to fundraising guidance in the Spousal Club Instruction, COMDTINST 1750.6D

Q3. Where can I find the ethics rules that apply to me?

A. Look at the Standards of Conduct Manual, COMDTINST M5370.8B, as well as [Office of Government Ethics Regulations](#).

Q4. Who can I call with ethics questions?

A. Call your servicing legal office or the CGHQ Office of General Law (contact information below).

Q5. Can I accept gifts offered to me based on my Coast Guard status or from a prohibited source?

A. You **cannot accept gifts** given because you are in the Coast Guard or any gifts from a prohibited source (i.e. a company we regulate or contract with), **unless some exception applies**. You can always decline a gift. You can never solicit a gift based on your Coast Guard status for yourself or other Coast Guard members.

Q6. What are some of the exceptions that allow me to accept a gift?

A. There are a number of exceptions ([5 C.F.R. 2635.204](#)), but these are most applicable to the lapse:

- The **20/50 Rule**: you can accept a non-cash gift worth \$20 or less per occasion from anyone outside the Coast Guard, but not more than \$50 per year per source. *Examples: a good hearted stranger offers you a merchandise gift card or to pick up your breakfast tab; a local yacht club (prohibited source because we regulate it) offers a free meal to any Coast Guard member valued under \$20.*
- Gifts based on a **personal relationship**. *Example: Money given by a neighbor.*
- Opportunities and benefits **generally available to the public, all government employees, or all military members**. *Example: Restaurant offering free meals for all federal employees.*

- Opportunities and benefits **offered by someone other than a prohibited source** (i.e. company we regulate, company that does business with us, etc.) **to a group or class that does not discriminate on the basis of higher rank or official responsibility**. *Examples: Restaurant offering free meals to Coast Guard members impacted by the lapse in the local area; food bank offering groceries to all furloughed federal employees (can take advantage repetitively).*

Q7. Can I accept merchandise or prepaid debit gift cards worth more than \$20?

A. You can accept merchandise or prepaid debit gift cards if **not from a prohibited source** (i.e. a company we regulate or contract with) and **offered to a group or class not based on rank** (this is the “opportunities and benefits” exception above). *Examples: Local store offers \$50 gift cards to all Coast Guard members during the lapse in appropriations, first come, first served; Coast Guard Foundation offers \$100 gift cards to all Coast Guard members distributed by the Coast Guard Chief Petty Officers Association.*

BUT, if a stranger approaches you and offers you alone a \$100 gift card and thanks you for your service, then it likely does not qualify as an opportunity or benefit you can accept. ***You have the obligation to be sure that the offer fits the rule!*** Steer clear of offers that have not been publicized or ask for guidance.

Q8. Can I accept cash grants offered by the American Legion, VFW or similar organizations?

A. Yes. The Coast Guard is aware that organizations like the American Legion and VFW have offered grants/cash to all veterans or all veterans with children, not based on rank or official responsibility (this is the “opportunities and benefits” exception above). Because neither are prohibited sources you could accept. If another, similar organization offered grants to all Coast Guard members, you could also accept.

Q9. Can I use crowdsourcing websites to ask for donations?

A. Neither Coast Guard members nor their dependents can solicit gifts for themselves through websites or other means mentioning or alluding to (e.g., photo in uniform or in front of a Coast Guard activity) your status as a member of the Coast Guard or your federal employment affiliation. But, nothing precludes raising money personally or through websites so long as the effort is wholly in a personal capacity, no prohibited sources are solicited, and the activity does not appear to be endorsed by the Coast Guard or an individual Coast Guard member. Be careful, because funds raised by individuals may count as personal income for tax purposes.

Q10. Can I participate in fundraising events or otherwise volunteer for charitable organizations?

A. So long as you are acting in your personal capacity and don't feature or mention of your status as a member of the Coast Guard, then you can participate in charitable fundraising with a non-federal entity. Volunteer activities do not qualify as outside employment. See COMDTINST M5370.8B section 2.I.4.e.

Q11. Can I work somewhere else during the lapse?

A. Yes, if you follow these requirements:

- Obtaining outside employment is permissible as long it does not violate any federal laws or regulations. These laws prohibit conflicts of interest between your activities for the outside employer and your official Coast Guard duties.
- Additional restrictions apply if you have contract procurement and/or oversight involvement, and/or if you are seeking to work for a Coast Guard contractor.
- Military members must get command approval for any outside employment. See Military Civil and Dependent Affairs Manual, COMDTINST M1700.1 paragraph 1.E. and Standards of Ethical Conduct, COMDTINST M5370.8B paragraph 2.I.
- The Coast Guard has waived for the duration of the lapse the requirement for civilian employees to get prior approval, so long as employment is completely unrelated to the Coast Guard's operations and your official duties, does not involve a prohibited source (i.e. a company we regulate or contract with), and does not include representational activities to the Coast Guard or any other federal agency.
- You must notify your supervisor (or somebody in your supervisory chain or servicing legal office below) when you get an outside job during the lapse. Regardless of the waiver on pre-approval, you're still encouraged to seek legal review before taking a job. See Standards of Ethical Conduct, COMDTINST M5370.8B paragraph 2.I.

Q12. Can I get unemployment or SNAP benefits?

A. There are a number of factors here:

- Employees are permitted to participate in any public service or benefit provided by your state or local government that is open to any other member of the public on the same terms. These rules differ state to state.
- Under federal workers compensation law, if an employee eventually receives back pay for the time period where they are receiving unemployment benefits, there is a requirement to pay the benefit money back.
- For SNAP benefits, there are also income limits and work seeking requirements that you would have to ascertain from your particular state. Depending on the qualification requirements for a particular public benefit program, a federal employee could apply but not be deemed eligible for the benefits.

Q13. Is there anyone I can talk to regarding personal legal issues?

A. The Judge Advocate General of the Coast Guard has authorized the expansion of legal assistance services to civilian Coast Guard employees during the lapse in appropriations. Military members are already authorized legal assistance. For personal legal assistance questions, reach out to your servicing legal office. For employees stationed at Coast Guard Headquarters, contact LCDR Jared Hood (jared.h.hood@uscg.mil).

Guidelines for Coast Guard leaders:

Q14. Can I accept a donor's offer to come on board a Coast Guard base or facility to donate free stuff to Coast Guard people that they can accept according to the guidelines above?

A. Check with your servicing ethics attorney; but here are some guidelines:

- You are providing access to the donor here; this is not a gift to the Coast Guard but rather an opportunity for members to accept gifts under one of the rules above. Understand who's the donor, what's being offered, the value of what's being offered, the eligible recipients, any support the donor expects, any conditions attached to the offer, and impact on unit mission and security.
- Decline an offer to come on board unit if:
 - The public would question the Coast Guard for accepting the gift (e.g., because of the nature of the gift or the nature of the donor);
 - Not everyone on board the unit can take advantage;
 - The offer would interfere with mission or security;
 - The donor requires any support from the unit beyond providing a location (e.g., use of unit galley kitchen or unit members have to do the work);
 - The donor desires more than a temporary opportunity (e.g., desires indefinite access or space);
 - The donor will displace or replace a current official service (i.e., regular meals offered by the galley or displaces personnel or activities in workspaces);
 - The donor desires to serve persons not affiliated with the Coast Guard (besides other federal employees);
 - You would not say yes to another donor similarly situated (e.g., if you say yes to one pizzeria, you'll say yes to another one a week later).
- *Examples of offers you might consider accepting:*
 - *A local restaurant or food truck offers to visit a base and feed anybody interested on base.*
 - *A local food bank offers to come onto the base on one day to serve Coast Guard families, or offers to set up a distribution point for the duration of the lapse in a building where there's excess space.*

Q15. What if a local donor wants to give a gift to the unit for distribute to its members?

A. Direct donors first to charitable organizations better suited to distribute such gifts, like Coast Guard Mutual Assistance or closely affiliated employee organizations (e.g. CPOA). If that's impractical, there are two ways to facilitate distribution of gifts to unit members:

- After you coordinate with your servicing legal office, you can accept as a gift to the Coast Guard in-kind gifts or merchandise gift cards, **but not debit cards or cash**, for the direct benefit of members of the unit under COMDTINST 5760.14. The items can then be distributed to members of the unit who could have accepted them directly under the rules above.

- An alternative to accepting items as a gift to the Coast Guard, and subject to any higher command guidance, Commanding Officers can provide the items to a member of the command, such as a Chaplain, to distribute on a volunteer basis on behalf of the donor to the members of the unit where the offer fits the gift rules above. Coordinate with your servicing legal office. Remember that you can't solicit.
- *Note: Cash gifts to units for the benefit of the unit (not intended to be distributed directly to members) can be accepted pursuant to COMDTINST 5760.14 but must be deposited in the General Gift Fund.*

Q16. What if an outside organization asks me about making cash donations to Coast Guard employees in general?

A. Direct donors who want to provide gifts of cash to employees to the Coast Guard Mutual Assistance. CGMA can provide grants to CG members, has a unique status as the CG's Military Aid Society, and has the ability to account for distributions. Cash given to the Coast Guard will be deposited in a unit's MWR account or the General Gift Fund and not provided to individual members.

Q17. Can CG Auxiliary flotillas give gifts to Coast Guard units and members?

A. For the purposes of gift donations, the Coast Guard Auxiliary is treated as a non-federal entity. As a result, the same gift rules above apply.

Q18. Can the Spouses Association give gifts to the Coast Guard and members?

A. Yes, it is the same analysis just like other non-federal entities.

Q19. I know that I usually cannot accept gifts from employees who receive less pay than I do, but may I give my subordinate a gift to help during the lapse?

A: Yes, but consider the circumstances. Under the general standards ([5 C.F.R. 2635.302](#)) an employee may accept a gift from a superior, but be sensitive to the possibility that other employees may view this as favoritism and could result in employee grievances. There's also a prohibition on supplemental compensation to employees for services (18 U.S.C. § 209), although that may not apply in the context here.

Q20: Is the lapse a "special infrequent occasion" for which the members of the unit can take up a collection for a shipmate?

A: No. The examples and opinions providing interpretation of a "special infrequent occasion" suggest that the lapse doesn't qualify. See [5 C.F.R. 2635.304\(c\)\(1\)](#). Coast Guard Mutual Assistance and other resources are available to support our members.

Q21: Can I disseminate information about available aid or gifts to members affected by the lapse?

A: Official information channels (e.g., management communications) may be used to share factual information about charities with members but don't recommend or endorse a particular

charity. Federal employees may *not* engage in fundraising in an official capacity or in the Federal workplace, except in limited circumstances. See [5 C.F.R 2635.702](#) and [2635.808](#).

Servicing Legal Offices:

Office of General Law:	(202) 372-3855
Legal Service Command:	(757) 628-4210
LANTAREA Legal:	(757) 398-6396
PACAREA Legal:	(510) 437-5860
Coast Guard Academy:	(860) 444-8254
District 1:	(617) 223-8590
District 5:	(757) 398-6218
District 7:	(305) 415-6950
District 8:	(504) 671-2032
District 9:	(216) 902-6013
District 11:	(510) 437-3329
District 13:	(206) 220-7113
District 14:	(808) 535-3242
District 17:	(907) 463-2058
PSC:	(202) 795-6420
TRACEN Cape May:	(609) 898-6902
TRACEN Yorktown:	(757) 856-2376
TRACEN Petaluma:	(707) 765-7237