

INFORMATION PAPER

1. SUBJECT: Official v. Unofficial functions for purposes of using government resources.

2. REFERENCES:

- a. DoD 5500.7-R (The Joint Ethics Regulation, Generally and Chapter 3, Section III)

3. PURPOSE: To explain the difference between official and unofficial functions and provide information on the authorized use of government resources for organizational functions.

4. BOTTOM LINE: As a general rule, hails and farewells, dining ins/outs, military balls, holiday office parties and social events at private or government quarters are not official functions. Generally, the use of appropriated funds, non-tactical vehicles (NTVs), government personnel and equipment in support of these events is prohibited. You should always consult your ethics attorney for guidance.

5. DISCUSSION:

a. Government resources may be used for “official purposes” only. Official purposes are ones that are specifically provided for by law or are essential for successful completion of a DoD function, action or operation. The underlying ethics principle is that employees shall protect and conserve federal property and shall not use it for unauthorized activities.

b. The following are examples of functions that may be considered official. Even so, a pre-event legal opinion should be obtained from your ethics counselor before using government resources to support these events:

(1) Unit organization days, staff rides, conferences, and seminars where there is a training benefit;

(2) Receptions when Official Representation Funds would be authorized;

(3) International Liaison functions; and

(4) Official ceremonies such as changes of command, but only when the government employee is actively participating in the ceremony or when attending the ceremony is determined to be of significantly high interest to DoD activities.

c. Examples of unofficial functions where use of appropriated funds, government personnel, equipment and NTVs is prohibited except in narrowly defined circumstances are:

(1) Hails and Farewells;

(2) Dining-ins/outs, regimental balls, and holiday balls;

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(3) Office birthday, anniversary, and holiday parties (even when taking place at place of duty during duty hours)

(4) Office farewell luncheons; and

(5) Social functions at private or government quarters, even when the command or staff is invited, e.g., welcome parties, birthday parties, weddings, picnics, and block parties.

d. These unofficial functions are rarely designated as “official” for purposes of employing government resources and funds. Inviting or designating a speaker to discuss command issues does not create an official event, nor does declaring an event as a “training event” or “place of duty.” Government resources should not be used to support the listed events without first consulting with your ethics counselor.

e. Exceptions:

(1) Music, Aerial, Ceremonial and Troop units for Public Affairs (AR 360-1). The band/chorus and color guard may be used at certain civilian-sponsored social, civic and cultural events such as community concerts, banquets, dinners, receptions, carnivals, festivals, and sporting events if:

(a) The musical participation includes patriotic music as opposed to pure entertainment; and

(b) Clearly establishes the support as an appearance by an Army unit.

(c) Normally this includes military/patriotic music honors to the colors.

(2) Senior Leaders as Feature Speakers and use of DoD Facilities and Equipment in support of Non-Federal Entities (JER, Para 3-211).

(a) DoD employees may serve as speakers, panel members or otherwise participate in events sponsored by non-Federal entities; and

(b) DoD facilities and equipment (including the personnel to operate the facilities and equipment) may be used to a limited extent to provide logistical support of these events, if

(i) The event does not include fundraising or a membership drive; and

(ii) The provisions of the Joint Ethics Regulation, Para 3-211 are met.