



Washington, D.C. 20530

JUL 19 1999

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: Stephen R. Colgate
Assistant Attorney General
for Administration

SUBJECT: Gift Acceptance Delegation

Pursuant to 28 U.S.C. § 524(d), and the authority granted to the Assistant Attorney General for Administration by Department of Justice Order 2400.2, I hereby delegate to each Department of Justice component head the authority to accept any form of devise, bequest, gift or donation of property that is appropriate for use or display in the component. This delegation does not apply to services, and is limited to donations valued at no more than \$150 (one hundred fifty dollars) per donor per calendar year. This delegation includes those instances where individual employees are given items that exceed \$20 in value, which is the de minimis amount for a gift that may be retained by an employee personally under the executive branch standards of conduct, 5 CFR 2635.204(a). Where such a gift is received by an employee and it is appropriate for use or display by the component, the component head may authorize acceptance on behalf of the Department. Component heads may redelegate this authority to one other official but no further redelegation is authorized. No donations from Department of Justice employees may be accepted under this delegation. No employee may solicit gifts or encourage the solicitation of gifts to the Department unless approved in advance by the Deputy Attorney General. This delegation does not limit previous delegations issued under DOJ Order 2400.2.

This delegation is not intended to relieve components of the obligation to discourage the donation of gifts presented where Department of Justice employees give speeches or attend events sponsored by outside organizations. In particular, this delegation of authority is not intended to result in a proliferation of small items of limited use or value to the component.

Each component head shall ensure that either a Gift Donation Form or a Gift Acceptance Form is completed for each donation accepted under this delegation. The completed form must be forwarded to Property Management Services, Facilities and Administrative Services Staff, Justice Management Division (JMD), at the time the gift is accepted. The Gift Donation Form is the preferred form to use when a potential donor indicates that they intend to donate a gift. The Gift Acceptance Form may be used when the gift was presented to an employee with no prior indication of the donation. The component's Deputy Designated Agency Ethics Official shall concur in order for a gift to be accepted. Wherever possible, the Gift Donation Form should be signed by the donor; in unusual circumstances where this is not possible, the form may be completed by the component, describing the circumstances in which the gift was accepted. In these cases, a letter should be sent to the donor advising them that the gift has been accepted on behalf of the Department. Appropriate forms and a sample letter are attached.

In those infrequent cases where the gift has already been presented, but it is determined not suitable for use or display, and the item cannot reasonably be returned, please contact JMD on (202) 307-2761 for disposition instructions.

Attachments