

There are exceptions to this rule, especially when the two employees are not in an official subordinate-superior relationship; and when there is a personal relationship between the two employees that would justify the gift.

An exception also allows, on an occasional basis, gifts, other than cash, with a market value of \$10 or less per occasion for an official superior or accepted from a subordinate or other employee receiving less pay.

Another exception allows the acceptance of gifts on special, infrequent occasions such as a marriage, birth of a child, illness, retirement, etc. Please refer to 5 CFR 2635.304 for more information on this rule.



“It’s a gift from one of our contractors”

Important Definitions

A *Gift* is defined as a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It also

applies to services as well as gifts of training, transportation, local travel, lodgings and meals.

A *Prohibited Source* is defined as any person or organization that:

- Has business with the employee’s agency
- Is seeking to do business with the employee’s agency ;
- Conducts operations that are regulated by the employee’s agency ; or
- Has interests that may be substantially affected by the performance or nonperformance of the employee’s official duties.

This pamphlet only provides a summary of the Department’s gift acceptance rules. Questions regarding any of these provisions and their applications should be directed to your servicing ethics counselor, or call the Department Ethics Office on (202) 208-5916.

Additional information on this or other ethics topics may also be obtained from the Department Ethics Web Site at:

www.doi.gov/ethics/ethics.html.

Department Ethics Office

“Making ethics a part of the workplace”



Gifts

When to accept them and when to decline them



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Gifts from Non-Federal Domestic Sources

As a general rule. . .

Department of the Interior employees may not, directly or indirectly, solicit or accept a gift:

- (1) from a prohibited source; or
- (2) if it is given because of the employee's official position.

There are exceptions to this rule. For example:

(a) Employees may accept gifts (from anyone) having a market value of \$20 or less per occasion, provided that the aggregate market value of individual gifts received from any one person does not exceed \$50 in a calendar year.

It is important to note that if the market value of a gift exceeds \$20, employees may not pay the difference (the amount over \$20) in order to accept the gift. Also, this exception does not apply to gifts of cash, gift certificates, or of investment interests such as stock, bonds, or certificates of deposit.

(b) Employees may accept gifts given under circumstances which make it clear that the gift is motivated by a family relationship or personal friendship rather than the position of the employee. Such gifts may not be paid for by a prohibited source.



(c) Employees may, in most cases, accept discounts, or other promotional benefits for participation in commercial or private activities that are offered to all Government employees.

(d) Employees may accept outside awards that are given for achievements and meritorious public service. For some awards, approval to accept may have to be obtained from the Designated Agency Ethics Official.

(e) Employees assigned to participate as a speaker or panel participant or to present information on behalf of the agency at a widely attended event, may accept free attendance at the event on the day of the presentation when provided by the sponsor of the event.

(f) Employees may accept a sponsor's unsolicited gift of free attendance at a widely attended gathering of mutual interest when there has been a determination that the employee's attendance at the gathering is in the interest of the agency because it will further agency programs or operations.

There are other exceptions that are not included in this pamphlet because of space limitations. For more information on these and other exceptions, refer to 5 CFR 2635.204.



Gifts from Foreign Sources

Interior employees who receive gifts from foreign companies or organizations must use the rules that apply to acceptance of gifts from domestic sources.

If the gift is offered from a component of a foreign government, the employee may personally accept the gift if its market value is \$260 or less. If the market value of the gift exceeds \$260, the employee may accept the gift on behalf of the United States. For further information on this provisions, refer to 5 U.S.C. 7342.

Important! All Department employees may accept gifts offered to them by representatives of domestic and foreign organizations when refusal to accept such gifts would be likely to cause offense or embarrassment or otherwise adversely affect relations with the United States. All gifts received are subject to the \$20 standard for gifts from domestic sources, and \$260 for gifts from foreign governments.

Gifts Between Employees

Generally, the rules prohibit an employee from giving, donating to, or soliciting contributions for, a gift to an official superior and from accepting a gift from an employee receiving less pay than himself or herself.

Important definitions

For purposes of the rules on the acceptance of gifts, the term “agency” is narrowly defined to mean the organization that employs the individual. If the employee works for one of the Interior organizations listed below, then the employee may accept a gift from a person or organization which has business dealings with any of the organizations except for the organization where the employee is employed. (1) Bureau of Indian Affairs, including the Office of Indian Education Programs;