



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
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DO-06-035

MEMORANDUM

TO: Designated Agency Ethics Officials
and Inspectors General

FROM: Robert I. Cusick
Director

SUBJECT: A Reminder about Holiday Gifts & Fundraising

During the holiday season, questions often arise about the solicitation and acceptance of gifts. As you know, even during the holidays, the Standards of Ethical Conduct for Executive Branch Employees (Standards of Conduct) apply to gifts from outside sources and gifts between Government employees. Therefore, please remind your agency's employees of the rules regarding gifts between employees, gifts from outside sources (including contractor personnel), and acceptance of free attendance at holiday parties.

The holiday season is also a time when employees remember those who are in need of assistance. Therefore, this would be an opportunity to remind employees about the rules related to fundraising in the Federal workplace for charitable organizations. Of course, the Combined Federal Campaign (CFC) is the only authorized solicitation of employees in the Federal workplace on behalf of charitable organizations. Employees may engage in fundraising in an official capacity in the Government workplace only in accordance with CFC rules. See 5 C.F.R. part 950.

Beyond the CFC rules regarding official fundraising, an employee who wishes to engage in fundraising in a personal capacity in the Federal workplace must comply with Subparts G and H of the Standards of Conduct. Thus, an employee may not solicit funds or other support from a

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subordinate for a favorite charity. 5 C.F.R. § 2635.808(c)(1). Additionally, an employee may not use his title, position, or other authority associated with his public office to further any fundraising effort. 5 C.F.R. § 2635.808(c)(2). And, of course, an employee may not use Government resources such as e-mail and photocopier equipment, or Government time, in support of a private fundraising effort. 5 C.F.R. §§ 2635.704 and 2635.705.

While some agencies may have de minimis use policies that permit certain personal uses of Government resources, it is unlikely that any of these policies would permit broad solicitations for charitable contributions. Moreover, any such use would still have to comply with the restrictions related to solicitation of subordinates and the misuse of Government title, position, and the authority associated with public office.

Thank you for your assistance in these matters, and please accept my best wishes for a happy holiday season for you and your family.