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Gaylord Texan Resort, Dallas Texas

Gifts, Give-Aways, Contests & Drawings for Federal Employees

The use of gifts, give-aways, contents and drawings are a great way to attract federal employees to your booth. There are, however, strict limitations on what a federal employee can accept.

The following is taken from the United States Office of Government Ethics (www.oge.com) as a guide to what is and is not permitted. This is not nor should it be interpreted as legal advice or opinion but only as a guideline to assist you in your planning.

The Basic Rule: Employees of the executive branch may not solicit or accept a gift that is given because of their official position or that is given by a prohibited source, unless the item is either not considered to be a gift or falls within one of the exceptions to the basic rule.

A Prohibited Source: A person or organization that seeks official action by their agency; does business or seeks to do business with their agency; has activities that are regulated by their agency; or has interests that may be affected by the federal employee when they are doing their job. This includes any organization the majority of whose members are described within one of these categories.

The \$20/\$50 Exception: The exception allows federal employees to accept gifts of \$20 or less on a single occasion, but not more than \$50 per year per source. (The source is the entire organization, so you may not accept gifts exceeding the \$50 per year per source limit just because different employees in the same organization pay for them each time.) If several gifts are given at the same time, they may keep those items whose total value when added together does not exceed \$20. They may never accept gifts of cash, and can not pay the difference for gifts exceeding the \$20 limit.

What is a gift? Almost anything of monetary value, such as cash, meals, paperweights, trips, concert tickets, and services.

What is not a gift? A cup of coffee, modest refreshments, which are not part of a meal, and items of little intrinsic value such as greeting cards, or plaques and certificates intended solely for presentation. These, among other things, may be accepted without worrying about

What is market value? Market value is the retail price that the recipient of the gift would have to pay to purchase it. If the gift is a ticket entitles them to food, refreshments, entertainment, or any other benefit, the market value is the face value printed on the ticket

Are discounts gifts? Discounts offered to the public or to all Government employees are not considered to be gifts for purposes of the gift rule. Discounts that discriminate among government employees on the basis of type of official responsibility, or rank, or rate of pay could only be accepted if an exception applied.

Are contents and drawing gifts? It provides that gifts do not include "rewards and prizes given to competitors in contests or events, including random drawings, open to the public unless the employee's entry into the contest or event is required as part of his official duties." An employee could voluntarily enter a drawing at an individual vendor's booth in their private capacity and keep a resulting prize.

If an employee on official assignment to attend a trade show or conference voluntarily enters a drawing (open to the public) in his personal capacity at an individual vendor's booth, his acceptance of a resulting prize would not be precluded by his official status, as entry into the contest was not required by or related to duty.