

Ethics Guidelines on Providing Assistance to Employees After a Disaster

The Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. 2635 address the ethics rules:

- 1) **Gifts from Outside Sources** (Subpart B, 5 C.F.R. 2635. 201 through 205)
 - a) Federal employee may not accept a gift given to him/her based on his/her official position or from a prohibited source. A prohibited source is defined at 5 C.F.R. 2635.203(d). The most common type of prohibited source is an entity that does business with or seeks to do business with the USGS. Additionally, prohibited sources are also those entities listed in the Financial Guide for USGS Employees as prohibited or limited for investment by USGS employees, their spouses and minor children.
 - b) There is an exception that permits an employee to accept gifts valued at \$20 per occasion/\$50 per year even if the gift is received because of his/her official position or from a prohibited source.
 - c) However, in accordance with 5 C.F.R. 2635.201(b), employees should consider declining otherwise permissible gifts if they believe that a reasonable person with knowledge of the relevant facts would question the employee's integrity or impartiality as a result of accepting the gift.
 - d) Discounts and benefits available to all Government employees (even if restricted to a particular geographic region) are not considered "gifts" and may be accepted.
- 2) **Gifts Between Employees** (Subpart C, 5 C.F.R. 2635.301 through 304)
 - a) The general rule is that:
 - i) employees may not give gifts or solicit contributions for gifts to those above them in the supervisory chain; and
 - ii) employees may not receive gifts from subordinate employees who are in their supervisory chain.
 - b) For special or infrequent occasions of personal significance, there is an exception that:
 - i) permits employees to give gifts (other than cash) and solicit contributions for gifts appropriate to the occasion to those making more money than them or who are in their supervisory chain; and
 - ii) permits employees to receive gifts appropriate to the occasion from those in their supervisory chain.
 - iii) See 5 C.F.R. 2635.304(b) for more details.

- c) A natural disaster qualifies as a special and infrequent occasion.
- d) Contribution efforts should not be announced by Regional Directors or Science Center Directors -- this should be handled by a more junior employee (in order to avoid employees feeling compelled to donate).
- e) Donations need to be anonymous. Lists of who donates should not be kept.
- f) Employees must feel free to donate (or not) -- no coercion.
- g) Store gift cards are permissible, but "general use" gift cards (i.e., with a Mastercard, VISA or American Express logo) are not permissible.
- h) Go Fund Me (or similar) websites may not be created because different ethics rules and restrictions apply to gifts from outside sources and gifts between employees.

3) Use of Government Property (5 C.F.R. 2635.704)

- a) An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes.
- b) According to the General Services Administration (GSA), <http://www.gsa.gov/portal/category/26486>:
 - As part of their mission, certain agencies have specific authorities provided under law which authorize them to use property in the case of emergencies or to assist in disaster relief.
 - Agencies may be directed by the President or the Federal Emergency Management Agency (FEMA) to provide personal property to support emergency relief. See the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended by Public Law 106-390, October 30, 2000 and 44 CFR 206.5. Disaster Relief must be coordinated with the Federal Coordinating Officer appointed by FEMA. See 44 CFR 206.64.
 - Agencies may use Federal property to prevent loss of life or property even if the items were not acquired for this purpose. See FPMR 101-25.100.
- c) Employees may use their own personal equipment to voluntarily assist their fellow employees or provide personal hospitality.

- d) Use of Government property to benefit employees directly and personally (for example, using a Government boat or truck to remove damaged furniture or household items from an employee's home) could appear to be the use of public office for private gain. Use of public office for private gain is prohibited by [5 C.F.R. 2635.101\(b\)\(7\)](#).

4) Use of Government Time ([5 C.F.R. 2635.705](#))

- a) Employees may use their own time to voluntarily assist their fellow employees or provide personal hospitality.
- b) Use of Government time to benefit employees directly and personally (for example, assisting in clean-up activities at an employee's home) could appear to be the use of public office for private gain. Use of public office for private gain is prohibited by [5 C.F.R. 2635.101\(b\)\(7\)](#).
- c) Collection of in-kind gifts (food, clothing, toys, etc.) to provide to a charitable organization (or to USGS employees) is permissible. Collection of in-kind donations is permitted even during the Combined Federal Campaign (CFC) season (September to December). CFC regulations permit Federal employees to solicit 'in-kind' contributions by placing donation receptacles in common areas.
- d) Emergency assistance may be available from the [Federal Employee Education and Assistance](#) (FEAA) Fund. FEAA provides financial assistance in the form of tax-free grants and/or no-interest loans to eligible DOI employees and their families who suffer loss as a result of an uninsured personal crisis, emergency, or natural disaster causing injury to life or damage to property. Employees experiencing major losses due to a declared natural disaster may apply for a grant from the Federal Employee Education and Assistance (FEAA) Fund by filling out a [disaster relief application](#). [No-interest loans](#) are also possible.
- e) Employees may donate money to CFC organizations, but it is not permissible to fundraise for a particular charitable organization in the Federal workplace. Only the Director of OPM has the authority to grant permission for special solicitations and the OPM only approves requests upon a showing of "extraordinary circumstances." See "Ethical Implications of Emergency Response Conference Report" (June 2006).