November 2026

HOLIDAY GIFT RULES

As the holiday season approaches, it is important to remember there are restrictions on Federal employees accepting gifts from outside sources and from other Federal employees. Just as there is no “working lunch” exception to the gift prohibition, there is no “holiday party” exception. A gift includes anything of monetary value, including a gratuity, favor, discount, entertainment, training, transportation, lodging, and meals.

Gifts from outside sources. Generally, as a Federal employee, you may not solicit or accept a gift (1) from a "prohibited source" or (2) if given because of your official position. A "prohibited source" is a person or organization seeking official action by DOE; a contractor or grantee of DOE; a person or organization with an interest that may be substantially affected by the performance or nonperformance of your official duties; or an organization whose members are any of the above. There are a number of exceptions to this rule that may permit acceptance of an otherwise prohibited gift. The most common exceptions are:

- Individual gifts of $20 or less per source per occasion, provided that the aggregate market value of the individual gifts received from any one source does not exceed $50 per year.

- Gifts based on outside business or employment relationships, from a personal friend, or to your spouse unaffected by your official position.

- Invitations to certain widely attended events (events where a large number of people with common interests, but diverse perspectives are expected to attend), provided you have written approval from a supervisor and an ethics counselor.

You should never: (1) accept a gift in return for being influenced in the performance of an official act; (2) solicit or coerce the offer of a gift; (3) accept gifts from the same or different sources so frequently that a reasonable person would believe you are using your public office for private gain; or (4) accept a gift in violation of any statute.

Contractors and others with DOE-related interests may offer gifts, including meals, or host events that include food. Whether you may accept or attend depends on whether the gift falls into one of the exceptions, including those described above. You may also pay the full value of the gift.

If you are invited to an event you believe may qualify as a widely attended gathering, contact an ethics counselor before accepting the invitation.

If you choose to pay for a gift, you must pay the donor its market value. The market value for a ticketed event, such as a sporting event, is the price on the face of the ticket. However, even when you pay the face-value questions concerning loss of impartiality may still exist. For an event without tickets, such as a dinner or reception, the market value is the per person cost of food, beverages, and entertainment. You may not accept a gift by paying the amount that exceeds the $20 limit.

If you are offered a meal as a gift, be wary of situations where the host quotes the value at a suspiciously low price, or one off the top of his or her head. It's your responsibility to verify that the value of the meal does not exceed the $20 limit.

Remember, even if a gift exception applies, it is always appropriate to decline a gift, if acceptance would result in questions regarding your integrity or impartiality. Among the factors you should consider when making this decision are the value of the gift, the timing of the gift, and whether accepting the gift gives the donor additional access to DOE employees

Gifts between employees. Generally, you may not give a gift to your supervisor, or others in your management chain, and employees may not accept a gift from another employee receiving less pay, unless the gift is given under one of the following situations:

- Gifts of $10 or less on certain occasions when gifts are traditionally given or exchanged.
- Food and refreshments shared in the office.
- Personal hospitality at one's home and gifts given in connection with the receipt of personal hospitality from a supervisor, if it is of the type and value customarily given on such occasions.
- Special infrequent occasions (such as marriage, illness, bereavement, retirement, or the birth or adoption of a child). In this case voluntary contributions of nominal amounts may be solicited for a group gift.

Frequently Asked Questions

Office Parties

• *May we have an office "gift exchange" or "gift swap*?" **Yes.** All employees, including supervisors, may participate in gift exchanges if each gift is valued at $10 or less.

• *May we pool contributions of $10 or less per person to purchase a holiday gift for our supervisor?* **No.** Holidays are not special infrequent occasions because they occur annually.

• *May we collect contributions for an office holiday party?* **Yes.** You may collect voluntary contributions for holiday parties. Employees who wish to attend a party may be required to contribute a set amount to pay per-person costs. However, supervisors should not author a solicitation and can **never** require contribution to and participation in a holiday party.

• *May we include a contractor in our office holiday party and can they contribute to its cost?* **Maybe.** The Contracting Officer for the contract should always be contacted to see if it is permissible for the contractor employees to attend the party if it is during working hours. If contractor employees are included in a holiday party where all participants are contributing a set amount (e.g., everyone pitches in $5), the contractor employee may contribute the same amount, but no more.

- *May we use our program's appropriated funds to pay for a holiday party?* **No.**

Gifts from Outside Sources

- *If I am prohibited from accepting an invitation to an event, may I "pay my own way" instead?* **Yes.** Any employee may choose to pay for a prohibited gift. You must pay the donor its market value. You are responsible for ensuring that the amount you pay is an accurate reflection of the market value. Even when you pay the market value, questions concerning loss of impartiality may still exist.

- *May I attend a contractor's holiday party?* **It depends**. If a gift exception applies attendance may be permissible. Generally, only a small number of DOE employees should be at this type of event. Even when you "pay your own way" you should consider the appearance of a DOE official attending a contractor party with whom he or she has an official relationship.

Questions & Additional Information

Please contact your ethics advisor with any questions or comments concerning the ethics rules and regulations. Headquarters employees should submit questions by email to standardsofconduct@hq.doe.gov. NNSA and field employees should direct their questions to their respective ethics counselor.