



NASA Policy Directive

NPD 1030.1H

Effective Date: August 23, 2000

Expiration Date: July 11, 2008

COMPLIANCE IS MANDATORY[Printable Format \(PDF\)](#)

Subject: Acceptance By Employees of Gifts or Decorations From Foreign Governments and Gifts To Foreign Individuals (Revalidated 07/11/03)

Responsible Office: Office of the General Counsel

1. Policy

- a. It is NASA policy to ensure that gifts of more than minimal value from foreign governments to NASA employees be returned to the donor whenever possible, or accepted, retained, and disposed of in accordance with constitutional, statutory, and regulatory requirements.
- b. It is NASA policy that no appropriated funds, other than funds from the "Emergencies in the Diplomatic and Consular Service" account for the Department of State, be used to purchase any tangible gift of more than minimal value for any foreign individual without the express consent of Congress.

2. Applicability

- a. This directive applies to NASA Headquarters and NASA Centers, including Component Facilities.
- b. In the event of any conflict between this directive and any other NASA directive or regulation, this directive shall govern and supersede any previous issuance or directive.

3. Authority

42 U.S.C. 2473 (c) Section 203(c) of the National Aeronautics and Space Act of 1958, as amended.

4. References

- a. The Constitution of the United States, Article I, Section 9.
- b. 5 U.S.C. Section 7342, the Foreign Gifts and Decorations Act.
- c. 41 Code of Federal Regulations (CFR), Part 102-42, Utilization, Donation, and Disposal Of Foreign Gifts and Decorations. (Formerly 41 CFR Part 101-49; see 65 Federal Register 45539, July 24, 2000.)

5. Responsibility

- a. The Administrator, or designee, after review by the Office of External Relations and The Office of the General Counsel, is responsible for making a determination as to whether a decoration from a foreign government is tendered in recognition of active field service in time of combat operations or awarded for other meritorious performance and approving an employee's acceptance of the decoration.
- b. The Office of External Relations is responsible for the following:
 - (1) Providing, in consultation with the Assistant Administrator for Public Affairs and the General Counsel, advice to employees on the appropriateness of accepting or refusing a gift from a foreign government.
 - (2) Receiving gifts which are not accepted by employees.
 - (3) Examining the circumstances surrounding gifts of more than minimal value, consulting with Department of State officials if necessary, and determining whether to return the gift to the donor.
 - (4) Determining whether a gift may be properly displayed in a public area at NASA Headquarters or a NASA Center

or Component Facility.

(5) Determining whether a gift should be disposed of in accordance with Federal Property Management Regulations.

(6) Compiling a list of statements from employees concerning gifts filed during the preceding calendar year and transmitting the list to the Secretary of State by January 31 of each year.

(7) Arranging an outside appraisal of gifts if necessary due to a dispute over value or at the request of the General Services Administration.

(8) Ensuring that employees are informed of the requirements of 5 U.S.C. 7342.

(9) Maintaining liaison with the Department of State in the implementation of 5 U.S.C. 7342.

(10) Disseminating notice of changes to the regulatory definition of "minimal value."

(11) Reviewing requests for determination and approval for acceptance of a foreign decoration prior to the making of a determination by the Administrator.

c. The Office of the General Counsel is responsible for the following:

(1) Providing advice to the Office of External Relations with regard to gifts from foreign governments.

(2) Reviewing requests for determination and approval for acceptance of a foreign decoration prior to the making of a determination by the Administrator.

d. The Office of Public Affairs is responsible for reviewing requests for determination and approval for acceptance of a foreign decoration prior to the making of a determination by the Administrator.

e. All NASA employees are responsible for the following:

(1) Refraining from requesting, soliciting, or encouraging tender of gifts from foreign governments, regardless of value.

(2) Ensuring that their spouses and dependent children refrain from requesting, soliciting, or encouraging tender of gifts from foreign governments, regardless of value.

(3) Establishing whether a gift is of minimal value.

(4) Advising the donor of a gift of more than minimal value that it is contrary to the policy of the United States for employees, their spouses, or dependent children, to accept gifts of more than minimal value.

(5) Requesting the advice of the Office of External Relations regarding the appropriateness of accepting a gift which may be of more than minimal value, if time permits, in advance of acceptance. Where time does not permit, the employee shall inform the Office of External Relations immediately after acceptance.

(6) Depositing a gift of more than minimal value with the Office of External Relations no more than 60 days after receipt, and arranging for secure transportation, such as registered mail, if necessary to meet the deadline. The employee must include with the gift a statement containing the employee's name and position, the date received, place of presentation, a description of the gift, the circumstances justifying acceptance, the identity of the foreign government, and the name and position of the individual who presented the gift, the estimated value of the gift in the United States at the time of acceptance, and an indication as to any interest in participating in any subsequent sale of the item by the United States. In the case of a gift of travel or expenses for travel taking place entirely outside the United States, and for which advance approval was not granted, the statement shall be filed within 30 days of acceptance.

(7) Requesting approval from the Administrator prior to acceptance of a decoration from a foreign government, regardless of value.

(8) Promptly reporting suspected violations of 5 U.S.C. 7342 or this directive to the NASA Inspector General.

6. Delegation of Authority

None.

7. Measurements

None.

8. Cancellation

NPD 1030.1G, dated August 23, 2000.

Revalidated

July 11, 2003, Original signed by

/s/ Sean O'Keefe
Administrator

Attachment A: (Text)

None.

(URL for Graphic)

None.

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