



**NASA
Policy
Directive**

NPD 1030.11

Effective Date: August 23,
2000

Expiration Date: August 23,
2018

COMPLIANCE IS MANDATORY

[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Gifts or Decorations From Foreign Governments and Gifts to Foreign Individuals (Revalidated 2/27/13)

Responsible Office: Office of the General Counsel

Change History

Chg#	Date	Description/Comments
1	02/27/2013	Update to comply with 1400 Compliance, with administrative changes, title changes, update applicable documents update authority.

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, or accepted, retained, and disposed of in accordance with constitutional, statutory, and regulatory requirements.
- b. No appropriated funds, other than funds from the "Emergencies in the Diplomatic and Consular Service" account for the Department of State, may be used to purchase any tangible gift of more than minimal value for any foreign individual without the express consent of Congress. The purchase of any tangible gift of less than minimal value for any foreign individual will comply with applicable law and NASA policy regarding the use of appropriated funds for gifts.
- c. As defined in 5 U.S.C. § 7342(a)(5), "minimal value" is set by the General Services Administration and is adjusted every three years based on the Consumer Price Index. The current value of minimal value is provided in 41 C.F.R. § 102-42.10.

2. Applicability

- a. This directive applies to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Support Service Centers.
- b. In the event of any conflict between this directive and any other NASA directive or regulation, this directive will govern and supersede any previous issuance or directive.
- c. In this NPR all mandatory actions (i.e requirements) are denoted by statements containing the term "shall", the terms "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommend but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

3. Authority

- a. U.S. Constitution, Art, I, Sec. 9.Cl.8.
- b. The National Aeronautics and Space Act, as amended, U.S.C. § 20113(a)..

4. Applicable Documents and Forms

- a. Receipt and Disposition of Foreign Gifts and Decorations, 5 U.S.C. ° § 7342.
- b. Limitation on Purchase of Gifts for Foreign Individuals, 22 U.S.C. § 2694.
- c. Utilization, Donation, and Disposal Of Foreign Gifts and Decorations, 41 C.F.R., Part 102-42.

5. Responsibility

a. The Administrator, or designee, 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. Prior to determination and approval by the Administrator, requests for acceptance of a foreign decoration shall be reviewed by the Office of International and Interagency Relations, the Office of the General Counsel, and the Office of Communications.

b. The Office of International and Interagency Relations is responsible for the following:

(1) Providing, in consultation with the Assistant Administrator for Communications and the General Counsel, advice to employees on the appropriateness of accepting or refusing a gift from a foreign government, including travel.

(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 for an appraisal of gifts if necessary due to a dispute over value, at the request of the General Services Administration, or as otherwise required. Appraisals are required for personalized gifts, such as books signed by the author or personally labeled gifts. Appraisals are also necessary when an employee wishes to purchase the gift or decoration. Appropriated funds may be used for commercial appraisals when the Assistant Administrator for the Office of International and Interagency Relations determines that doing so would be in the interest of the Government, such as by facilitating a disposition of the gift that is more favorable to diplomatic relationships.

(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 and 22 U.S.C. 2694..

(10) Disseminating notice to employees 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 legal advice to the Office of International and Interagency 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 Communications 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 International and Interagency 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 will include statement with the gift containing the employees name and position, the date received, the 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 will 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.

f. Employees may retain gifts of minimal value received as souvenirs or marks of courtesy. When a gift of more than minimal value is accepted, the gift becomes the property of the U.S. Government. Employees may also accept gifts of travel or expenses for travel taking place entirely outside of the United States of more than minimal value when acceptance is appropriate, it is consistent with the interests of the United States, and as permitted by the Office of International and Interagency Relations.

g. Employees may accept decorations that have been offered or awarded for outstanding or unusually meritorious performance, subject to the approval of the Administrator or his designee. If the Agency disapproves the acceptance of the decoration, it will become the property of the U.S. Government.

6. Delegation of Authority

The Administrator has delegated to the NASA General Counsel the authority to make determination on foreign decoration and to approve employees' acceptance of such decorations.

7. Measurement/Verification

In assessing whether NASA is in compliance with the current directives or regulations, as applicable, the Office of International and Interagency Relations shall compile a list of statements from employees concerning gifts filed during the preceding calendar year and transmit the list to the Secretary of State by January 31 of each year.

8. Cancellation

NPD 1030.1H, Acceptance By Employees or Gifts or Decorations from Foreign Governments to Foreign Individuals, dated August 23, 2000.

Revalidated w/ change 1, dated 2/27/13, Original signed by

**/s/ Sean O'Keefe
Administrator**

Attachment A: (Text)

None.

(URL for Graphic)

None.

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