

# Reclamation Manual

## Policy

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### Solicitation and Fundraising

1. **Purpose.** There exist many misunderstandings regarding which groups may engage in solicitation and fundraising on Departmental or other Federal property. In order to ensure Reclamation employees are made aware and provided direct guidance on solicitation and fundraising, this appendix provides a general overview of the rules for fundraising and solicitation.
2. **Prohibition on Fundraising.** The Office of Personnel Management (OPM) is the main source of guidance on fundraising in the federal workplace. Per OPM, and as indicated in 5 CFR 950.102(a), the general rule is that fundraising is not allowed in the federal workplace.
  - A. **Combined Federal Campaign.** The one exception to the prohibition on fundraising in the federal workplace is the Combined Federal Campaign (CFC).
  - B. **Donations In-Kind.** Notably, the prohibition on fundraising in the federal workplace does not apply to the collection of gifts in kind, such as food, clothing or toys.
  - C. **Employee Associations.** Employee Associations (EAs) may not fundraise in the federal workplace. However, EAs may solicit funds provided that solicitation is not conducted on Departmental property (including Department leased property), it occurs outside of work hours, it does not involve government time or resources, and it does not involve soliciting a prohibited source.
3. **Combined Federal Campaign (CFC).** Under 5 CFR 950.102, the CFC is the only authorized solicitation of employees that may be allowed on Government property.
  - A. **Shared Facilities.** Other agency rules may apply in shared facilities, such as General Services Administration buildings, joint agency leased buildings, and similar instances. In these cases, employees should consult with their ethics official before engaging in any solicitation activities.
4. **Donations in Kind.** According to OPM, and as indicated in 5 CFR 950.102(b), CFC regulations do not restrict Federal employees from soliciting “in-kind” (i.e., non-cash) contributions, such as clothes, food, or toys, by placing donation receptacles in common areas. No special solicitation authority is required to do this, but such requests should be coordinated and approved at the Area Office, Facility Manager, and employee’s supervisor.
  - A. **Permissible In-Kind Activities.** Employees may do the following.
    - (1) Notify employees about the in-kind collection drive, which includes reasonable use of government equipment (e.g., use of email).
    - (2) Place donation receptacles in common areas to collect voluntary contributions.

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- (3) Use limited official time for the collection, if authorized by your supervisor.
- B. **Prohibited In-Kind Activities.** Employees are prohibited from doing the following.
  - (1) Solicit monetary donations. Only in-kind items such as food, clothing, contributions are allowed.
  - (2) Solicit donations from contractors, non-Federal persons on Federal property, or outside organizations. However, unsolicited in-kind contributions from these entities are allowed.
  - (3) Solicit contributions from subordinate employees.
  - (4) Request information about a specific employee's contributions to the collection.
  - (5) Create lists of employee contributors or non-contributors.
  - (6) Reward employee contributors with monetary or other awards.
5. **Employee Associations (EAs).** The Department has not established policies and procedures applicable to solicitations conducted by employee organizations among their own members and for the benefit of welfare funds for their members under 5 CFR 950.102(e).
  - A. **Permissible Activities.** Pursuant to Personnel Bulletin (PB) 17-07 and 5 CFR 2635.808(c), EAs may do the following.
    - (1) Fundraise in areas that are not on Department property or leased by the Department. However, the fundraising activities need to be outside work hours, not involve government time or resources, or solicitation of prohibited sources.
    - (2) Charge membership fees. Reasonable use of government resources such as phones, copiers, and e-mail to conduct the association activities and to encourage communication as allowed in PB 17-07 and the DOI's Limited Use policy is permitted.
    - (3) Hold events limited to EA members only.
    - (4) Charge participants for events and may charge non-members a fee equal to that of an EA membership for non-members to participate.
    - (5) Send employee members (not all employees) e-mails from an official email to notify them of events and meetings with approval from management.
    - (6) Use bulletin boards to advertise for events.

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- (7) Use government space for meetings.
6. **Personal Capacity.** An employee may engage in fundraising in their personal capacity as long as they do not solicit from subordinates or persons having business with the Department and they do not use their official title or position.
- A. **No Use of Government Resources.** Soliciting should not be done on Government property, on Government time or using Government equipment (email, computers, copiers, etc.).
7. **Official Capacity.** An employee may not engage in fundraising, including active participation in a fundraiser, in their official capacity unless authorized by statute, executive order, regulation or agency determination per 5 CFR 2635.808(b). Employees should contact their ethics official if requested to fundraise in their official capacity.
- A. **Official Speech.** An employee may be authorized to give an official speech at a fundraising event, if the circumstances are appropriate, even though this constitutes participating in a fundraiser.
8. **Permissible Activities.** The collection of funds for certain activities, such as collections for an individual employee for special occasions (retirement, birth of a child, deaths, emergencies, etc.) and fees associated with an event such as an office picnic, are not considered fundraising or soliciting.
- A. **Subject to Gift Rules.** Collections for employees are subject to rules for gifts between employees. (*Refer to Appendix 2 – Gifts for additional information.*)
9. **Solicitation and Fundraising Examples.**
- A. **Example 1:** Employee would like to sell baked goods at work in order to raise funds for the local Boys and Girls Club. Due to the prohibition on fundraising in the Federal workplace, employee may not sell baked goods for the Boys and Girls Club while at work.
- B. **Example 2:** During the holidays, Employee would like to collect toys and clothing in the federal workplace in order to donate to the local orphanage. Because the employee would be soliciting “in-kind” contributions, it would not be subject to the prohibition on fundraising and would be permissible (subject to approval).
- C. **Example 3:** An EA would like to conduct a bake sale in the Departmental facility in order to raise funds for a future EA activity. Due to the prohibition on fundraising in a Departmental facility, the EA may not conduct a bake sale in this location.