



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

OPNAVINST 4001.1D
N09BL

30 April 1997

OPNAV INSTRUCTION 4001.1D

From: Chief of Naval Operations
To: All Ships and Stations (less Marine Corps field addressees
not having Navy personnel attached)

Subj: ACCEPTANCE OF GIFTS

Ref: (a) SECNAVINST 4001.2G
(b) SECNAV approval of 3 Dec 96 on CNO memo of
4 Oct 96 (NOTAL)
(c) DOD Directive 5500.7-R of 30 Aug 93 (Joint Ethics
Regulation)

Encl: (1) Sample gift of travel report

1. Purpose. To delegate the Chief of Naval Operations' gift acceptance authority. This issuance is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 4001.1C.

3. Discussion. Reference (a) authorizes the Chief of Naval Operations to accept gifts of personal property valued at \$50,000 or less. Additionally, by reference (a), the Superintendent, United States Naval Academy is authorized to accept gifts valued at \$50,000 or less to the Naval Academy and the Naval Academy Museum. In reference (b), the Secretary of the Navy approved the Chief of Naval Operations' request to delegate the Chief of Naval Operations' gift acceptance authority to the Vice Chief of Naval Operations and Director, Navy Staff for gifts of a value of \$50,000 or less. The Secretary of the Navy, in reference (a), authorized the Chief of Naval Operations to delegate acceptance authority for gifts of a value up to \$10,000. All prior grants of gift acceptance authority from the Chief of Naval Operations are cancelled and no further delegation of gift acceptance authority, other than that granted by this instruction, is authorized. Gifts requiring acceptance by higher authority should be forwarded via the administrative chain of command. Prior to acceptance, all gifts will be reviewed by a judge advocate or general counsel to ensure compliance with references (a) and (c).

4. Gifts of Personal Property Acceptable under 10 U.S.C. § 2601 (which are not acceptable under a more specific statute); Gifts for use in providing Recreation, Amusement or Contentment of



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Enlisted Members under 10 U.S.C. § 7220; and Acceptance of Payment from a Non-Federal Source for Travel Expenses under 31 U.S.C. § 1353 (implemented by 41 C.F.R. Parts 301-1 and 304-1). The following officials are delegated gift acceptance authority for gifts of personal property (including money) for the benefit of an institution or organization; for providing recreation to enlisted members serving in such organizations under his or her command or subordinate commands; or for acceptance of payment from a non-Federal source for travel and related expenses for attendance of personnel in a travel status at a meeting or similar function relating to official duties:

a. Gifts of a value of \$50,000 or less: Vice Chief of Naval Operations and Director, Navy Staff.

b. Gifts of a value of \$10,000 or less: the following officials who have a judge advocate or general counsel assigned to their immediate staffs: Commander in Chief, U.S. Atlantic Fleet; Commander in Chief, U.S. Pacific Fleet; Commander in Chief, U.S. Naval Forces, Europe; numbered Fleet Commanders; Commander, U.S. Naval Forces Central Command; Commander, Naval Special Warfare Command; Commander, Military Sealift Command; commanders of systems commands; chiefs of bureaus; Chief of Naval Education and Training; Type Commanders; President, Naval War College; Superintendent, Naval Postgraduate School; Commander, Navy Recruiting Command; Commander, Naval Reserve Force; Commandant, Naval District Washington; Commander, National Naval Medical Center; Commander, U.S. Naval Forces, Japan; Commander, U.S. Naval Forces, Korea; Commander, U.S. Naval Forces, Marianas; Commander, Fleet Air, Mediterranean; Naval Base Commanders; and all other flag officers in command, who ultimately report to the Chief of Naval Operations, and their deputies, who are flag officers.

c. Gifts of a value of \$1,000 or less: the following officials attached to systems commands who have a judge advocate or general counsel assigned to their immediate staffs: commanders, commanding officers and officers in charge of field activities of Naval Sea Systems Command; Naval Air Systems Command; Naval Facilities Engineering Command; Naval Supply Systems Command; and Space and Naval Warfare Systems Command.

d. A commander of a naval medical facility without gift acceptance authority, whose responsible line commander is attached to a Marine Corps activity, will forward their gift acceptance requests to the Bureau of Medicine and Surgery.

e. Other commands will forward requests for acceptance of gifts, via the administrative chain of command, to the immediate superior in the chain of command with gift acceptance authority.

5. Procedures for Handling Gifts of Money or Securities

a. Gifts of money (cash, checks or other negotiable instruments) or securities, acceptable under 10 U.S.C. § 2601, including gifts for morale, welfare, and recreation (MWR), will, after acceptance in accordance with this instruction, be forwarded to Assistant for Administration, Under Secretary of the Navy (AAUSN), regardless of where acceptance authority is vested. AAUSN will also be provided a copy of the acceptance letter, if the gift was accepted per this instruction. AAUSN will deposit the funds in the "Navy General Gift Fund" account and issue a fund allotment (NAVCOMPT 372) to the receiving command.

b. As an exception to the procedure in subparagraph 5a, gifts of money or securities acceptable under 10 U.S.C. § 7220 to organizations with a "Ships' Stores Profit, Navy" account will, after acceptance in accordance with this instruction, be forwarded to that organization for deposit into that account.

c. All checks will be made payable to the "Department of the Navy."

6. Gifts to Vessels of the Navy under 10 U.S.C. § 7221. The following officials are delegated gift acceptance authority for gifts of silver, colors, books, or other articles of equipment or furniture as, in accordance with custom, are made to vessels of the Navy:

a. Gifts of a value of \$50,000 or less: Vice Chief of Naval Operations and Director, Navy Staff.

b. Gifts of a value of \$10,000 or less: Commander, Naval Sea Systems Command and Commander, Naval Supply Systems Command.

7. Gifts under 10 U.S.C. § 7222 for the Benefit of the Naval Historical Center

a. Vice Chief of Naval Operations and Director, Navy Staff have been delegated gift acceptance authority for gifts of a value of \$50,000 or less to the Naval Historical Center. Once gifts of money are accepted, they will be deposited in the Naval Historical Center Fund.

b. Director, Naval Historical Center is delegated gift acceptance authority for gifts of personal property (excluding money) of a value of \$1,000 or less for the benefit of the Naval Historical Center. Director, Naval Historical Center is required to provide a quarterly report to Director, Navy Staff listing gifts accepted under this delegation.

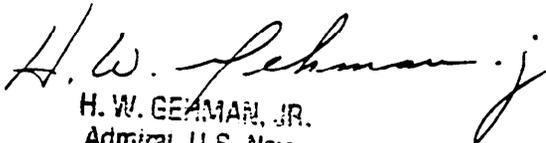
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8. Action

a. Gifts from a non-federal source for travel expenses accepted under 31 U.S.C. § 1353 (implemented by 41 C.F.R. Parts 301-1 and 304-1) valued at over \$250 must be reported semi-annually by all gift acceptance authorities. Echelon 2 commanders with gift acceptance authority will collect and forward to the Chief of Naval Operations (N09BL) semi-annual reports on gifts of travel and related expenses from non-federal sources accepted under 31 U.S.C. § 1353 by themselves and subordinate commands. Enclosure (1) provides a sample gift of travel report.

b. Before any Navy official accepts a gift of a value of more than \$5,000 from a prohibited source, reference (a) requires the legal counsel (general counsel or judge advocate) for the gift acceptance authority to consult with and request a determination from the Office of General Counsel (Attn: Assistant General Counsel (Ethics)) as to whether the donor is involved in any claims, procurement actions, litigation, or other matters involving the Department of the Navy. Legal counsel is to provide this information to the gift acceptance authority. Additionally, reference (a) requires gift acceptance authorities to provide a copy of each gift acceptance decision involving a gift from a prohibited source to the Office of General Counsel. Reference (a) contains the definition of "prohibited source."

9. **Report.** Reporting requirements contained in paragraph 7b are exempt from reports control by SECNAVINST 5214.2B.


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Admiral, U.S. Navy
Vice Chief of Naval Operations

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OPNAVINST 4001.1D

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GIFTS OF TRAVEL
FROM NON-FEDERAL SOURCES
(31 U.S.C. § 1353)

1. Acceptance Official: _____
2. Name of DoD Employee: _____
3. DoD Employee's Government Position: _____
4. Name of accompanying Spouse (if applicable): _____
5. Name of Non-Federal Source Providing Travel: _____

6. Nature of Meeting/Function: _____

7. Employee's travel date(s): _____
8. Spouse's travel date(s): _____
9. Location of event: _____

10. Nature of Travel Expenses (Itemized)	<u>Check/Similar Instrument</u>	<u>In Kind</u>	<u>Amount</u>
<u>AIRFARE</u> _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<u>MEALS</u> _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<u>LODGING</u> _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<u>OTHER</u> _____ (e.g., taxi, conference fee, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

11. Total Amount:
Check/Similar Instrument \$ _____ b. In Kind: \$ _____

12. Other Facts/Information:

Name, Title, and Signature
Name of Command/Activity