

For assistance, please contact the NEO Action Coordinator at (301) 402-6628.

- I. **INTRODUCTION:** The purpose of this Standard Operating Procedure (SOP) is to provide guidance for preparing and submitting a Non-Top 5 Award with cash prize.

References (includes links):

- [5CFR2635, Standards of Ethical Conduct for Employees of the Executive Branch](#): Governs the conduct of all executive branch employees involving outside activities; gifts from outside sources; gifts between employees; conflicting financial interests; misuse of official position; impartiality in performing official duties; and seeking other employment.
- [Manual Chapter 2400-10- Gifts from Outside Sources](#): Implements the NIH rules governing employees regarding the acceptance of gifts from outside sources, (individuals or entities outside of the Federal Government).
- [Ethics Management Information System \(EMIS\)](#): The NIH ethics community uses EMIS to document and track employee ethics actions and for data reporting.
- The [EMIS Help Menu](#) provides instructions for managing data regarding Awards (NIH-2854).
- [NIH Enterprise Ethics System \(NEES\)](#): Employees use NEES to electronically submit requests for awards (NIH-2854).
- The [NEES User Guide](#) provides instructions for awards (NIH-2854).
- NIH Ethics Program Website Topic - [Awards from Outside Organizations](#): Provides guidelines regarding employee acceptance of gifts associated with awards and honors.

II. **PREPARATION AND SUBMISSION:**

1. Check the [Outside Awards with Cash Prize: Permissible for NIH Employees to Accept](#) list on the NEO Website to see if award has been previously approved.

➤ **If Award is included on approved list:**

- Create an EMIS record in the EMIS Award Review module
- Review the information provided and the organization's website to determine if there have been any substantial changes such as:
 - Cash prize amount
 - Lecture requirement
 - Selection process (e.g., change in the selecting official from, for example, Awards Committee to Board of Directors)
 - New gifts offered
- Complete the **Award Review Worksheet**.

➤ **If Award is NOT included on approved list:**

- Create an EMIS record in the EMIS Award Review module
- Determine if ALL gifts associated with the award can be accepted under other exclusions from or exceptions to the gift rule
 - e.g., Widely Attended Gatherings (WAG), Sponsored Travel, IC Gift Acceptance Authority
 - i. **If Yes**, process those individual actions accordingly
- Complete the **Award Review Worksheet**.

**** Do NOT dispatch the NIH-2854 in NEES until approval is received. ****

2. Email the NEO Action Coordinator and include the following:
 - Award Review Worksheet
 - Notification Letter to employee receiving the award.
 - Confirmation the employee was advised not to cash the check until approval is received.
 - Email communication (*Additional information from your research or received from employee*)
3. The NEO Action Coordinator will use the Award Rotation Chart to assign the award to the next NEO Specialist on the list.
4. The NEO Ethics Specialist will contact the Outside Organization for additional information needed in order to make a determination as to whether the award meets the §2635.204(d) requirements.
5. NEO Specialist will notify the requesting IC of whether the award meets the §2635.204(d).
 - If the award meets 204(d):
 - Determine if the employee has official responsibility for matters affecting the award donor (5 CFR 5501.111):
 - An employee may not accept gift(s) from a person, organization, or other donor that:
 - i. Is seeking official action from the employee, any subordinate of the employee, or any agency component or subcomponent under the employee's official responsibility;
 - ii. Does business or seeks to do business with any agency component or subcomponent under the employee's official responsibility;
 - iii. Conducts activities substantially affected by the programs, policies, or operations of any agency component or subcomponent under the employee's official responsibility; or
 - iv. Is an organization, a majority of whose members are described in i, ii, and iii above.
 - PLEASE NOTE:*** *In order to make an accurate determination, you need to determine if the employee and/or employee's subordinate(s) has grants, intramural collaborations; contracts, or other business with award sponsor.*
 - Enter your analysis and upload the necessary 111 documentation into the employee's NIH-2854 form in NEES and dispatch report.
 - If the award does NOT meet 204(d):
 - Notify the employee of the disapproval.