

GIFTS TO THE GOVERNMENT

What is considered to be a gift to the Government?

- Anything provided to support agency operations, including airplane tickets and meals, as well as funds.

May employees accept gifts to the Government?

- Yes, if:
 - the gift will benefit an agency program or operation,
 - acceptance will not create an appearance of impropriety by giving the impression that the agency will be biased in favor of the giver, and
 - approved by an authorized agency official.

When does acceptance of a gift create an appearance of impropriety?

- This is determined on a case-by-case basis, taking into consideration such factors as:
 - whether the donor has interests in controversial matters before the agency,
 - the value of the gift,
 - the usefulness of the gift to the agency, and
 - the circumstances surrounding the offer.

From which sources may agencies not accept gifts?

- A gift may not be accepted from:
 - an agency grantee (or applicant),
 - an agency contractor (or bidder), or
 - a company in an industry sector regulated by the agency. (Although on rare occasions an exception is granted to these general restrictions.)

Are gifts for official travel (i.e. airline tickets, hotel, meals) treated differently than other gifts to the Department?

- Yes, unlike other gifts travel gifts *may not be solicited* and must be approved before the travel. Also:
 - first class transportation may not be accepted,
 - honoraria may not be accepted, and
 - for USPTO employees, travel gifts may be accepted only from 501(c)(3) organizations.

How should employees report agency gifts?

- On a CD 210 (or a CD 342 if the gift is from a foreign government for travel entirely outside the United States) and an SF 326 (if it is a travel gift).

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A WORD ABOUT ETHICS