

## GIFTS TO THE GOVERNMENT

A WORD  
ABOUT  
ETHICS

### 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.

### Can I accept a gift to my agency?

- 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
  - it is 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 can I not accept a gift for my agency?

- Generally, you cannot accept a gift from:
  - an agency grantee (or applicant),
  - an agency contractor (or a bidder),
  - an agency licensee (or applicant), or
  - a company in an industry sector regulated by your agency.

(Although on some occasions gifts from these sources are permitted as not creating an appearance of impropriety.)

### Are gifts for official travel (such as airline tickets, hotel, and meals) treated differently than other gifts to the Department?

- Yes, unlike other gifts, you cannot ask someone to pay for Government travel; it must be offered voluntarily. If you request a travel payment, your agency cannot accept it. Furthermore:
  - a travel gift must be approved by agency management before the travel,
  - first class transportation cannot be accepted, and
  - honoraria and speaking fees cannot be accepted.

### How do I report gifts?

- All gifts to an agency must be reported on a form CD 210; travel gifts must also be reported on a form SF 326. Both are available from the Ethics web page: [www.commerce.gov/ethics](http://www.commerce.gov/ethics).

Ethics Law and Programs Division – Office of the General Counsel – United States  
Department of Commerce

202-482-5384 – [ethicsdivision@doc.gov](mailto:ethicsdivision@doc.gov) – [www.commerce.gov/ethics](http://www.commerce.gov/ethics)

January 4, 2016