**Ethics Mailbox***

**I’M GOING ON OFFICIAL TRAVEL. HELP!**

From: Doc, John
[mailto:JDoc@doc.gov]
Sent: Tuesday, April 18, 2017 11:06 AM

To: Division, Ethics
<EthicsDivision@doc.gov>

Subject: CD210 and Ethics approval

Good Morning,

I was reading in the summary PDF on travel gifts that an agency “May seek prior approval” from you. We have always been working under the assumption that it was required. Do CD210s and other gifts have to go through the Ethics Division before they can be accepted?

Thanks,
John

*actual questions received by ethics officials of general interest—edited to maintain confidentiality, of course.

**MAY REMINDERS**

➤ New employees have 3 months to complete ethics training

➤ Form 278 Filers must file transaction reports within 30 DAYS of the sale or purchase of securities

➤ Form 278 Filers must file written notice within 3 DAYS of beginning non-Federal employment negotiations

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**Ethics Spotlight: TRAVEL GIFTS**

There are three types of gifts you may encounter as a Government employee: personal gifts offered by someone outside the Government, gifts between employees, and a donation offered for use by your agency for agency programs or operations, including for official travel, also known as a “travel gift.” Each of these types of gifts is covered by different rules.

You may accept a gift or donation of property or travel for your agency or Secretarial Office if: it will further a Government program, it is approved by the appropriate agency official, and acceptance will not create an appearance of loss of impartiality regarding agency programs or operations (which generally means that the donor is not an agency contractor, grantee, or licensee or someone regulated by your agency).

You may not accept a gift or donation for your agency if: it is a gift of services (other than for travel); it will not further an agency mission; acceptance will create an appearance of undue influence on agency activities, which in most cases bars acceptance of a gift from: an agency contractor (or bidder), agency licensee (or applicant), or someone with an interest in a controversial matter before Commerce; or it is for Government travel and it was solicited or it is for first-class travel.

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**Ethicus Asks:** What should you do?

A university invites you to give a talk at its one-day conference, which includes a lunch. The university will pay transportation and lodging and waive registration fees. You are also invited to a speaker’s dinner the night before and a reception after for university staff and VIPs. What are the 3 things you should do and the one thing you shouldn’t do? (see p.2)

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An Ode to an Unsolicited Travel Payment from a Donor that Is Not a Contractor, Grantee, or Regulated Entity

Travel for free—can it be?
No cost to DOC?
Trav’l gifts rock!
What you should do:
1. After consulting with an ethics official, get approval from agency management to accept the travel gift, including the speaker’s dinner. This probably will not present a problem unless the university is a contractor or grantee of your agency.
2. After you consult an ethics official, you also need to get approval from your supervisor to attend the reception under the “widely-attended event” provision in the gift regulations.
3. Finally, be sure to report the travel payments on a form CD 210 and SF 326.

What you should NOT do:
You cannot claim per diem for the speaker’s dinner and conference lunch. Meals paid for by a non-Federal source during travel are considered travel gifts to the agency and, therefore, the agency is considered to have provided the meals. You cannot then ask the agency to also pay your per diem for the meals, because a reception is not a meal that would be covered by travel expenses. Attending the reception is a personal gift and does not require any further reduction in your per diem.

Ethics questions?
Contact the Ethics Attorney of the Day:
EthicsDivision@doc.gov or 202-482-5384

Pets of the Month
ETHICAL ANIMALS

These diligently ethical animals live with Kathleen Stephens, Program Specialist in the Ethics Law & Programs Division.

We want to see your pets!
Please submit photos of your pets’ adorable antics by emailing us here.

Published by the U.S. Department of Commerce Ethics Law and Programs Division
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