



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
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MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Joseph Gangloff
Deputy Director
Office of Agency Programs

SUBJECT: Work Has Begun on Responses to Frequently Asked Questions on the *Ethical Implications of Emergency Response*

During the December 1, 2005, meeting of the Working Group on the *Ethical Implications of Emergency Response*, the group reviewed the draft frequently asked questions on gift acceptance and fundraising. Then, 18 very noble agency ethics officials volunteered to begin crafting responses (see below for the lists of questions with the names of the individuals who are drafting responses).

The Office of Government Ethics is asking to have draft responses to the questions by close of business Friday, January 13, 2006. If anyone is interested in assisting any of the named officials, or is interested in providing a response to one of the other questions, please contact the Office of Government Ethics at the following address: emergencyresponse@oge.gov. We anticipate holding the next Working Group Forum sometime during the week of January 23rd to discuss these responses.

As a reminder, for those agencies that have statutory gift acceptance authority and/or official fundraising authority and have not yet provided that information to the Working Group, please send your information to emergencyresponse@oge.gov at your earliest convenience. We plan to compile the information into a single document, which we will circulate at the regional conference on the *Ethical Implications of Emergency Response* currently slated for late February or early March.

Frequently Asked Questions and Points of Contact

Gift Acceptance Authority

1. What is “agency gift acceptance authority?”
 - **Elaine Ayres, NIH**
2. How do I know if my agency has gift acceptance authority?
3. If my agency does not have gift acceptance authority, can we acquire it and should we acquire it? If so, how do we acquire it?
 - **Peggy Love, EPA**
 - **Stephanie Conley, MSPB**
4. Are there any other authorities besides agency gift acceptance that would allow an agency to accept certain types of offers from non-Federal sources?
 - **Sandy Stockel, Army**
5. What are the consequences of accepting gifts without explicit agency gift acceptance authority?
6. Does agency gift acceptance authority extend to acceptance of volunteer services?
 - **Ray Sheehan, USDA**
 - **Eugenia Ellison, GSA**
7. Who is responsible for making definitive interpretations of an agency's gift acceptance authority, should questions regarding the breadth and scope of this authority arise?
8. If my agency has gift acceptance authority, what should the agency consider when deciding what to accept, from whom, and how those gifts should be distributed? Should a conflicts analysis be applied?
 - **Karen Dalheim, Education**
9. If my agency does NOT have gift acceptance authority may we refer any offers to another agency that does?

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10. If offers could be referred to other agencies, can those agencies provide those items to employees other than their own, or must agencies only provide for their own employees?

11. If my agency does NOT have gift acceptance authority, may we reimburse donors for offers (such as lodging, etc.) made to and accepted by employees in the affected area (either victims or responders)?

12. If my agency has gift acceptance authority, can the agency itself establish a special fund to which donations could be directed?

13. If authorized to accept gifts, can the agency then redirect such gifts to other organizations, such as employee associations or non-Federal sources?

- **Roger Sabin, DISA**

14. If my agency does NOT have gift acceptance authority, can the agency establish a separate fund (a non-profit for example) to which donations could be directed?

- **Chris Runkel, NARA**

15. If NOT authorized to accept gifts, can the agency refer offers that it can't accept to other organizations, such as employee associations or non-Federal sources?

16. Can an agency use agency gift acceptance after-the-fact--e.g., after an employee or employees have already received items?

- **Katie Spear, NASA**

17. What is the policy for agencies accepting offers from foreign governments/sources and what does it allow?

- **Sharon Kelley, FCC**

Fundraising During Emergencies

1. What types of activities constitute "fundraising?"

- **Cathy Holzle, NRC**
- **Pat Tippett, USDA**

2. Does it make a difference for whom the funds are being raised and who is raising them?

3. Does it make a difference if the fundraising takes place during or outside of the Combined Federal Campaign?

4. What Government resources can be used in fundraising efforts?

- **Christine Pembroke, IRS**
- **Bonnie Angermann, DOT**

5. Are there acceptable and unacceptable types of fundraising activities (for example: raffles or lotteries)?

6. How do the rules in the Standards of Conduct regarding fundraising by Federal employees intersect with the rules governing the Combined Federal Campaign and GSA building regulations?

7. Can Federal employees solicit contributions to a fundraising event from private sector businesses?

- **Jonathan Gurland, VA**

8. Can an agency use employee welfare associations to solicit prohibited sources and the private sector?

9. What are the boundaries of a Federal official publicly acknowledging the relief efforts by non-federal entities?

- **Paul Conrad, FEMA**

10. Can an agency adopt and/or endorse a particular relief agency?

- **Paul Conrad, FEMA**

11. May an agency head suggest that employees wishing to do so make a contribution to a specific charity, such as the Red Cross and the Salvation Army?

- **Wade Plunkett, OPM**

As always, we deeply appreciate the community's commitment to this project. If you have any questions about the project, please feel free to contact Cheryl Kane-Piasecki, at 202-482-9252.