



United States Department of State

The Chief of Protocol

January 6, 2011

MEMORANDUM

TO: Heads of All Employing Agencies as Defined in Section 7342 of Title 5 of the United States Code

FROM: Ambassador Capricia Penavic Marshall, Chief of Protocol 

SUBJECT: Submission to Department of State of Listing of Foreign Gifts of More than Minimal Value Reported to Employing Agencies in Calendar Year 2010

All federal departments and agencies are required to submit to the Office of the Chief of Protocol of the Department of State a listing of all gifts of more than minimal value (minimal value is currently defined as having a retail value of \$335 or less) received by an employee from a foreign government during calendar year 2010 (January 1, 2010 through December 31, 2010). This year's submission deadline is Monday, January 31, 2011. See below for further instructions.

In accordance with 5 U.S.C. §7342, tangible gifts of more than minimal value (minimal value is currently defined by the General Services Administration as having a retail value of \$335 or less) received by Federal employees, their spouses or dependents from a foreign government are deemed to have been accepted on behalf of the United States and, upon acceptance, become the property of the United States. Upon deposit of the gift for disposal or official use, the employee must file a statement with his or her employing agency regarding the gift. Paragraph (f)(1) of that statute requires each employing agency or its delegate to transmit to the Secretary of State a listing of all statements filed during the preceding year by employees of that agency of gifts received from foreign governments valued at more than minimal value. The listings should be prepared in the format shown in the attached sample and include, for each gift reported, the name and position of the employee, a brief description of the gift and the circumstances justifying acceptance, the identity of the foreign government and the name of the official who presented the gift, the date of acceptance of the gift, the estimated value in the United States of the gift at the time of acceptance and the disposition or current location of the gift. Guidelines for preparing the report are also attached.

Gifts from an international organization or multinational organization whose membership is composed of any unit of a foreign government are included in the definition of "foreign government" for the purposes of the reporting requirement. However, gifts from sources other than foreign governments or such international organizations, e.g., nongovernmental organizations and foreign corporations (unless government owned), are not reportable. Further, agencies need not report gifts that had a retail value in the United States at the time of

(Note: If an employee received a gift from a foreign government, as described above, between January 1, 2005 and December 31, 2007 with a retail value of more than \$305, but the employing agency has not yet reported that gift, it should do so now.)

Listings from agencies must include, in addition to tangible gifts of more than minimal value, all gifts of travel or travel expenses from foreign governments for travel taking place entirely outside the United States (such as transportation, food, and lodging) and valued at more than \$335, the acceptance of which was not authorized in accordance with specific instructions of the recipient's employing agency. Gifts of travel or travel expenses accepted by an agency under the authority of 31 U.S.C. § 1353 or other agency-specific gift acceptance authority need not be reported.

These submissions are required so that the Secretary of State may discharge her responsibility under 5 U.S.C. § 7342(f) for the annual publication of a comprehensive listing of all such statements in the *Federal Register*.

All agencies must submit their reports to the Office of the Chief of Protocol no later than Monday, January 31, 2011. **If your agency has had no statements filed during 2010 concerning foreign gifts to employees subject to the statutory reporting requirement, you are required to submit a negative statement to this effect by the reporting deadline.**

Please submit reports (or negative responses) via email to ProtocolGiftOfficer@state.gov.

Please also provide the name, telephone number, and e-mail address of the individual who may be contacted, if necessary, concerning the contents of your report.

Inquiries regarding this memorandum should be directed to the Department of State, Office of the Chief of Protocol, Attn: David Solomon at 202-647-1333 or SolomonDA@state.gov.

Attachments:

1. Guidelines for report form
2. Sample report form templates: tangible gifts and travel

Drafted by: S/CPR: DSolomon, ext. 7-1333

Cleared by: S/CPR DCheng - ok
S/CPR/M SLudan - ok
L/Ethics JMann - ok
L/M VWenderoth/AKottmyer - ok

Guidelines for Report of Tangible Gifts:

Tangible Gift TEMPLATE for 2009 Federal Register.xls [Compatibility Mode] - Microsoft Excel

| | A | B | C | D | E | F | G | H | I |
|---|---|--|---|---------------|--------------------------|--|---------------------|----------------|------|
| | Recipient (Full Honorific, Name and Title) | Donor (Full Honorific, Name and Title with Country) | Description | Date Received | Cost (Value in \$ US) | Location | Agency | Report | Year |
| 1 | EXAMPLE #1: The Honorable Barack Obama, President of the United States | Her Excellency Jane Doe, President of the Republic of X | Limited edition crystal bowl with a gold commemorative inscription plaque | 1/30/2009 | \$2,000.00 | Location - Pending Transfer to General Services Administration | White House | Tangible Gifts | 2009 |
| 2 | EXAMPLE #2: The Honorable Hillary Rodham Clinton, Secretary of State of the United States | His Excellency John Doe, Minister of Foreign Affairs of the Kingdom of X | 8"x10" sterling silver picture frame | 2/1/2009 | \$499.99 | Disposition - Secretary's office for Official Use | Department of State | Tangible Gifts | 2009 |
| 3 | | | | | | | | | |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |
| 6 | | | | | | | | | |

1. A-1 thru I-1 are the required header information and must not be changed. Data must be entered the way it should display on the report.
2. Complete honorific, name and title with full country name must be included for Recipient (**Column A**) and for Donor (**Column B**).
3. **Column C** is the full, detailed description of the gift received. Please be as specific as possible.
4. **Column D** is the actual date that the gift was received.
5. **Column E** is the estimated retail value in the United States at the time of acceptance. Cost must be formatted with the dollar sign and cents (i.e. \$499.00). Please do not report gifts that have a value of \$335 or less.
6. **Column F** must list the gift's actual location if held for official use, or disposition if pending transfer to GSA or transferred to GSA. Title "Location" or "Disposition" must be typed in the field to indicate the type of location.
7. **Column G** is your agency name.
8. **Column H** must read "Tangible Gifts".
9. **Column I** must contain the year of report.

Guidelines for Report of Travel:

Please follow the same instructions as above, except the travel template does not include the "Location" field and the "Description" field must also include "Justification".

Preparing the CSV Files to be e-mailed:

1. Please perform a spell check on the final document.
2. Once the Excel template is complete with entries, the file should be saved in a **CSV file format**:
 - a. Select "File" from top menu.
 - b. Select "Save As" in the File menu.
 - c. In the "Save As" popup window change the "Save as type" from Microsoft Office Excel Worksheet (*.xls) to CSV (Comma delimited) (*.csv) onto their computer.
3. E-mail the report files to ProtocolGiftOfficer@state.gov

Tangible Gift Report Template for Federal Register 2010

| Recipient (Full Honorific, Name and Title) | Donor (Full Honorific, Name and Title with Country) | Description | Date Received | Cost (Value in USD) | Location | Agency | Report | Year |
|--|---|--|------------------|------------------------|--|----------------------------|-----------------------|-------------|
| <i>EXAMPLE #1: The Honorable Barack Obama, President of the United States</i> | <i>Her Excellency Jane Doe, President of the Republic of X</i> | <i>Limited edition crystal bowl with a gold commemorative inscription plaque</i> | <i>1/30/2010</i> | <i>\$2,000.00</i> | <i>Disposition - Pending Transfer to General Services Administration</i> | <i>White House</i> | <i>Tangible Gifts</i> | <i>2010</i> |
| <i>EXAMPLE #2: The Honorable Hillary Rodham Clinton, Secretary of State of the United States</i> | <i>His Excellency John Doe, Minister of Foreign Affairs of the Kingdom of X</i> | <i>8"x10" sterling silver picture frame</i> | <i>2/1/2010</i> | <i>\$499.99</i> | <i>Disposition - Secretary's office for Official Use</i> | <i>Department of State</i> | <i>Tangible Gifts</i> | <i>2010</i> |

Gifts of Travel Report Template for Federal Register 2010

| Recipient (Full Honorific, Name and Title) | Donor (Full Honorific, Name and Title with Country) | Description and Justification | Date Received | Cost (Value in USD) | Agency | Report | Year |
|---|--|-------------------------------|---------------|------------------------|--------|--------|------|
| | | | | | | Travel | 2010 |