



United States Department of State

Washington, D.C. 20520

October 31, 2016

MEMORANDUM

TO: Heads of all Departments, Independent Agencies, and Offices of the Executive, Legislative and Judicial Branches

FROM: Peter A. Selfridge, Chief of Protocol

SUBJECT: Submission to the Department of State of Listings of Gifts of More Than Minimal Value Given to Foreign Individuals during Fiscal Year 2016

All federal departments and agencies are required to submit to the Office of the Chief of Protocol a listing of all gifts given with more than minimal value. The current minimal value as defined by the General Services Administration is a gift with a U.S. fair market retail value of \$375 or less. These gifts have been given by representatives of the United States Government to foreign individuals during Fiscal Year 2016 (the period of October 1, 2015 through September 30, 2016). This year's submission deadline is Wednesday, November 23, 2016. See below for further instructions.

Section 515(b) of Public Law 95-105, 91 Stat. 866, 22 USC 2694, effective August 17, 1977, prohibits the use of appropriated funds, other than funds from the "Emergencies in the Diplomatic and Consular Service" account of the Department of State, to purchase any tangible gift of more than minimal value (currently defined by the General Services Administration as a gift with a retail value of \$375 or less) for any foreign individual unless such gift has been approved by Congress. In addition, Section 515(b) requires the Secretary of State to transmit a report annually to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee, the report contains the following details:

- (1) any gifts of more than minimal value purchased with appropriated funds, which were given to foreign individuals during the previous fiscal year, and
- (2) any other gifts of more than minimal value given by the United States Government to a foreign individual which were not obtained using appropriated funds.

Please note that the second part of the report includes all official gifts of more than minimal value, regardless of their origin, e.g., donations, and the valuation of the gift must be based upon the fair market value in the United States.



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To ensure compliance with PL 95-105, each agency should:

- include the prohibition on purchase of gifts for foreign individuals of more than minimal value without Congressional approval in their fiscal regulations, and
- designate a central point of contact for reporting of all such gifts at the end of each fiscal year and advise the Office of the Chief of Protocol of this designation.

The Department of State requires each agency to transmit a compilation listing all gifts given to foreign individuals that fall under either category described above. Each agency should prepare its compilation for Fiscal Year 2016 in the format of the enclosed report sheet.

Please submit the report via e-mail to Jennifer Wham at ProtocolGiftOfficer@state.gov by Wednesday, November 23, 2016. If your agency does not have any reportable gifts, you are required to indicate a negative response via e-mail.

In submitting the report, please provide the **name, telephone number, and e-mail address** of the individual who may be contacted, if necessary, concerning its contents and future reports.

Inquiries regarding this report should be directed to the Department of State, Office of the Chief of Protocol, Attn: Jennifer Wham at (202) 647-1297 or ProtocolGiftOfficer@state.gov.

Attachments:

- Example Enclosure: Reporting Sheet
- Copy of 22 U.S.C. § 2694

U.S. Code Collection

TITLE 22 > CHAPTER 38 > § 2694

**§ 2694. Limitation on purchase of gifts for foreign individuals;
report to Speaker of the House and chairman of the Committee on
Foreign Relations of the Senate**

(1) After September 30, 1977, no appropriated funds, other than funds from the “Emergencies in the Diplomatic and Consular Service” account of the Department of State, may be used to purchase any tangible gift of more than minimal value (as defined in section 7342 (a)(5) of title 5) for any foreign individual unless such gift has been approved by the Congress.

(2) Beginning October 1, 1977, the Secretary of State shall annually transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report containing details on (1) any gifts of more than minimal value purchased with appropriated funds which were given to a foreign individual during the previous fiscal year, and (2) any other gifts of more than minimal value given by the United States Government to a foreign individual which were not obtained using appropriated funds.

REPORT OF GIFTS TO A FOREIGN INDIVIDUAL OF MORE THAN MINIMAL VALUE (\$375)

____ **PURCHASED WITH APPROPRIATED FUNDS (describe Congressional approval), or**
 ____ **ACQUIRED FROM OTHER SOURCES (describe below)**

GIVEN DURING FISCAL YEAR 2016

AGENCY: _____

DATE SUBMITTED: _____

Donor Name/Title (Alphabetized by Last Name)	Country of Recipient (Alphabetized by Country Name)	Recipient Honorific/Name/Titl e	Description of Gift	Quantity	Retail Value in the US	Date Given
EXAMPLE: The Honorable John F. Kerry Secretary of State	EXAMPLE: Canada	EXAMPLE: His Excellency John Baird, Minister of Foreign Affairs of Canada	EXAMPLE: Tiffany and Company Sterling Silver Bowl	1	\$380.00	EXAMPLE: 11/20/2015

McCloskey, Bridin

Attachments: Report to Congress FY 2016 Memo to Agencies .pdf; 22 USC 2694(Limitation on Gifts to Foreign Governments).docx; Report to Congress FY 2016 Template.xlsx

From: Wham, Jennifer L [mailto:WhamJL@state.gov] **On Behalf Of** Protocol Gift Officer

Sent: Tuesday, November 01, 2016 12:00 PM

To: Protocol Gift Officer <ProtocolGiftOfficer@state.gov>

Subject: [External_Sender] Submission of All Gifts Given to Foreign Individuals Over Minimum Value During FY16 to Department of State

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Thank you,
Diplomatic Gifts Unit
Office of the Chief of Protocol
U.S. Department of State

This email is UNCLASSIFIED.