

## CHAPTER 4.

### GIFTS AND BEQUESTS TO NOAA

#### SECTIONS

PURPOSE.....	01
LEGAL AUTHORITY.....	02
DELEGATED AUTHORITY.....	03
GIFTS AND BEQUESTS FUND MANAGER.....	04
ACCEPTANCE OF GIFTS AND BEQUESTS.....	05
ACKNOWLEDGEMENT OF GIFTS AND BEQUESTS.....	06
USE OF GIFTS AND BEQUESTS FUND.....	07
REQUIREMENTS FOR GIFTS AND BEQUESTS FOR OFFICIAL TRAVEL.....	08
GIFTS AND BEQUESTS FOR TRAINING/ATTENDANCE AT MEETINGS.....	09
GIFTS AND BEQUESTS FOR OFFICIAL ENTERTAINMENT.....	10
GIFTS AND DECORATIONS FROM FOREIGN GOVERNMENTS.....	11
REPORTING REQUIREMENTS.....	12
EFFECT ON OTHER ISSUANCES.....	13
APPENDIX A Required Approvals for Gifts and Bequests.....	14
EXHIBITS.....	15
4-1 Instruction Sheet for Donor of Check to NOAA	
4-2 Travel Gift Checklist	

#### 4-01 PURPOSE

This chapter prescribes policy and procedures for accepting and using gifts and bequests made to the National Oceanic and Atmospheric Administration (NOAA) or to NOAA employees in consideration of their official capacity.

#### 4-02 LEGAL AUTHORITY

Sections 1522-1524 of Title 15, United States Code (U.S.C.), authorize the Secretary of Commerce to accept and use gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of Commerce.

#### 4-03 DELEGATED AUTHORITY

Department Administrative Order (DAO) 203-9, *Gifts and Bequests*, delegates the authority to accept gifts and bequests, except as noted below, to the Under Secretary and Administrator, NOAA. Additionally, Chiefs of the servicing Finance Branches and the Accounting Operations

Division (AOD) are authorized to accept gifts and bequests. When on official travel, or in other circumstances where an offer of a donation may arise, employees may be designated by an authorized official to accept gifts or bequests on an ad hoc basis. Such authority may be granted retroactively if circumstances prevented prior approval.

Prior authority must be obtained from the following officials before a gift can be accepted:

1. Secretary of Commerce - gifts valued at over \$35,000.
2. Chief Financial Officer and Assistant Secretary for Administration, DOC
  - a. real property or interest therein, regardless of value.
  - b. gifts and bequests offered on a conditional basis or with a particular requirement, or which require more than incidental expenditures in connection with their administration and use.
  - c. gifts and bequests designated for representation and official entertainment purposes where the amount involved is more than \$2,500 in each instance.
  - d. an in-kind donation for travel which exceeds by \$500 the value of an expenditure (i.e., for accommodations, subsistence, transportation and related expenses) allowable under the Department of Commerce Travel Handbook.
  - e. gifts or bequests made in whole or in part for the purpose of aiding or facilitating the work of the Department of Commerce generally, rather than solely the work of NOAA.
3. Chief Financial Officer, NOAA and Chief of Staff, NOAA - gifts \$250-2,500 or less for official entertainment.
4. Chief Financial Officer, NOAA – gifts under \$250 for official entertainment.
5. Chief of Servicing Finance Branch or AOD - gifts for travel as long as services in-kind do not exceed by \$500 or more those allowable in DOC Travel Handbook.
6. Line Office Assistant Administrator – gifts valued at \$35,000 or less and not of the types listed above.

#### 4-04 GIFTS AND BEQUESTS FUND MANAGER

The Under Secretary and Administrator, NOAA, shall appoint a Gifts and Bequests Fund Manager within the Office of the Chief Financial Officer. The Manager shall:

1. review all transactions affecting the Gifts and Bequests Fund to verify compliance with policy and, for gifts designated as to purpose, verify that the use is in accordance with the terms of the gift;
2. review Form CD-210, *Record of Gift or Bequest*;

3. submit the Form CD-210 and proceeds, or evidence thereof, to the appropriate office;
4. send a copy of each Form CD-342, *Record of Gifts and Decorations from Foreign Governments*, to the Director, Office of Administrative Services, DOC;
5. for all requests to use the Gifts and Bequests Fund, review Form CD-464, *Request for Authorization by Primary Operating Unit for Official Entertainment*, and if properly completed and signed and information provided complies with policy, forward it to correct approving officials;
6. notify requesters in writing of approval or disapproval to use the Gifts and Bequests Fund;
7. receive claims for reimbursement and forward original receipts and Form CD-464, with appropriate organization and task codes recorded, to the Accounting Operations Division, OFA23, for a reimbursement check;
8. maintain records of authorizations, receipts, acknowledgments, and expenditures;
9. maintain records showing all income, expenditures and commitments by Line Office and in total;
10. maintain an inventory of capitalized and accountable donated property and update records when an item is excessed to GSA;
11. take a physical count of donated property annually and have it independently verified;
12. review monthly Statement of Receipts and Expenditures to ensure that all receipts and expenditures are properly recorded;
13. prepare a monthly financial statement with supplementary statements by Line Office showing opening balance, receipts, expenditures, commitments and closing balance;
14. notify Budget Executions and Operations Division, OFA33, of expected donations;
15. notify NOAA employees of policies and procedures concerning gifts and bequests;
16. on a quarterly basis, provide the available balance (designated and non-designated) in NOAA's account, along with a copy of the SF-133, *Report on Budget Execution and Budgetary Resources*, to the Office of the Secretary G&B Manager in the DOC Office of Financial Management (OFM); and
17. provide liaison with the Office of General Counsel.

#### 4-05 ACCEPTANCE OF GIFTS AND BEQUESTS

## **Policy**

A gift or bequest may be accepted by authorized officials if it would:

1. aid or facilitate some part or aspect of NOAA's work;
2. not involve in substance, or have the appearance of involving, personal benefit to an employee for or in contemplation of services to the donor;
3. not tend to result in public misunderstanding concerning the ability of any NOAA employee to carry out his official duties in a fair, independent, impartial, or objective manner. Care must be taken not to create a conflict of interest or appearance of impropriety;
4. not compromise or appear to compromise the honesty and integrity of NOAA programs or employees and their official actions or decisions; and
5. not impede or otherwise impair Government efficiency or economy.

The gift or bequest should be free from restrictions, limitations, or control by the donor. It may be made for a particular purpose provided that the work to be performed falls within the authorized functions of NOAA. In addition, a gift may be made for the purpose of entertainment. Gifts of a check or property, other than for official entertainment, including the proceeds and income thereof, designated as to purpose, are assigned to the organizational unit concerned and are used as nearly as possible in accordance with the terms of the gift.

Authorized officials should not accept cash gifts under any circumstances. If cash is offered, the donor should be requested to make out a check or equivalent instrument payable to NOAA, as appropriate. There is no exception to this policy.

An employee not authorized to accept gifts and bequests should report immediately to his/her supervisor the offer of a gift or bequest. The employee should tell the donor that he/she will put the donor in contact with an official authorized to accept gifts. An instruction sheet (Exhibit 4-1) should be given to a donor who may want to send a check directly to NOAA as appropriate. The donor will be asked to include a transmittal letter which states whether the purpose of the donation is to further the general mission of NOAA or to further a specific project. The check and transmittal letter should be sent to the Under Secretary and Administrator, NOAA, or to the Chief Financial Officer. The Gifts and Bequests Manager should be notified of the gift and the check forwarded to the Finance Office, OFA2, for deposit.

## **Royalties and Honoraria**

Royalties and honoraria are not to be considered gifts or bequests. An employee may not accept honoraria resulting from work-related activities on behalf of himself/herself or NOAA. An employee may no longer accept royalties in his/her personal name and subsequently endorse the check or write a check to NOAA. Questions on the acceptance of royalties, honoraria or other earnings should be referred to the NOAA Office of General Counsel. If the royalty is offered to a NOAA employee on account of any invention made, that royalty is not applicable to the Gifts and Bequests Fund. Follow the policy and procedures of Section 9.03 of NAO 201-103,

*Cooperative Research and Development and Invention Licensing Agreements under the Federal Technology Transfer Act of 1986 (Public Law 99-502) for royalties of that type.*

## **Procedure**

For each gift or bequest, an authorized official shall prepare Form CD-210, *Record of Gift or Bequest*, available at <http://www.osec.doc.gov/forms/direct.htm>. In the case of a gift received from a foreign government, the authorized official shall prepare a Form CD-342, *Record of Gifts and Decorations from Foreign Governments*, also available at <http://www.osec.doc.gov/forms/direct.htm>. Procedures for Form CD-342 shall follow those for Form CD-210. Appendix A, *Required Approvals for Gifts and Bequests*, indicates the appropriate preparer of Form CD-210 for each type of gift or bequest. The following is the procedure for all gifts and bequests received other than for the purpose of travel. The preparer shall

1. obtain the required approvals (see Appendix A, *Required Approvals for Gifts and Bequests*);
2. keep a copy of the approved Form CD-210 for his/her records (property offices retain the original);
3. within 30 days of acceptance of the gift or bequest, send the Form CD-210 and the proceeds, or evidence thereof, to the Budget Corporate Financial Management Division (CFMD), OFA 34, Gifts and Bequests Fund Manager.

## **The Gifts and Bequests Fund Manager shall**

1. review Form CD-210;
2. record the appropriate task codes and organization code on the Form CD-210;
3. retain a copy of the Form CD-210 and the check or evidence of proceeds;
4. in the case of a check or equivalent instrument (other than for the purpose of travel) accepted, forward the proceeds with the original Form CD-210 and two copies to the Comptroller/Finance Office, OFA2; and
5. in the case of a gift received from a foreign government, send a copy of the Form CD-342 to the Director, Office of Administrative Services, DOC.

OFA2 forwards the originals to the Funds Management Branch (OFA211) for deposit and retains a copy of the Form CD-210 and the check for the Financial Reporting Division, General Ledger Branch A, OFA213.

Where a gift or bequest is transferred to an employee, the employee should immediately convey the check or property to NOAA, as appropriate. The NOAA official to whom the gift is transferred should give the employee a receipt.

## **Gifts and Bequests for Official Travel**

Employees shall not solicit payment for travel, subsistence, and related expenses from a non-Federal source. Gifts and bequests for travel expenses received from a non-Federal source shall be accepted and reported in accordance with the policies contained in the *Federal Travel Regulations*, 41 CFR Part 304 (see DAO 203-9 for more information). See also section 4-08, *Requirements for Gifts and Bequests for Official Travel*. For a gift or bequest for the purpose of travel, the Form CD-210 (or Form CD-342 if the donation is from a foreign government) is prepared by the recipient and approved by the Chief, servicing Finance Branch or AOD. If an in-kind donation for travel exceeds by \$500 the value of an expenditure (such as for accommodations or transportation) available under the DOC Travel Handbook, the servicing Finance Branch or AOD must forward the forms to the Chief Financial Officer and Assistant Secretary for Administration, DOC, for approval. After receiving the appropriate approvals, the servicing Finance Branch or AOD shall deposit the check. The information on the Form CD-210 is checked against the travel order and travel voucher. The check is deposited and coded to the Gifts and Bequests Fund. If the donation is over the allowable expenses which were initially charged to travel, the Travel and Government Branch, OFA232, of the Finance Office or the servicing Finance Branch sends a letter to the donor requesting their preference for the disposition of the excess.

The servicing Finance Branch or AOD must send a copy of each Form CD-210 to the Gifts and Bequests Fund Manager, CFMD, OFA34, and to the Financial Reporting Division, General Ledger Branch A, OFA213. The copies should be sent immediately after processing.

## **Gifts and Bequests of Real or Personal Property**

Organizational units receiving a gift offer of personal property or equipment shall contact the servicing Personal Property Management Branch. Those receiving a gift offer of real property shall contact the Real Property Management Division. The servicing Personal Property Management Branch and the Real Property Management Division shall aid in the valuation of the property and prepare Form CD-210 for approval. After receiving proper approvals, the property office shall send the Form CD-210 and evidence of the property to the Gifts and Bequests Fund Manager, CFMD, OFA34. If accepted, the Manager shall return the form to the property office. The respective offices shall record the property in the inventory records and retain the original approved Form CD-210. A copy shall be sent to the originating organization unit.

See Section 4-11 for information regarding gifts of tangible property from foreign governments.

### 4-06 ACKNOWLEDGMENT OF GIFTS AND BEQUESTS

Gifts and bequests should be acknowledged in writing to the donor. Except for monies, the ACKNOWLEDGMENT should not make reference to the value of the property received. Acknowledgments shall be made as follows:

1. For all gifts whose value exceeds \$35,000, the Under Secretary and Administrator, NOAA;
2. In excess of \$10,000 to under \$35,000, the appropriate Assistant Administrator;

3. Under \$10,000, the Director of the appropriate office.

For general gifts to NOAA valued at \$35,000 or less, where a specific Line Office or sub-office, cannot be identified as the recipient, the CFO/CAO will send written ACKNOWLEDGMENT.

A copy of each ACKNOWLEDGMENT should be sent to the Gifts and Bequests Fund Manager, CFMD, OFA34.

#### 4-07 USE OF GIFTS AND BEQUESTS FUND

### **Policy**

General purpose gifts and bequests made to NOAA as a whole are placed in the gift fund and approved in advance for disbursement by the appropriate official. Gifts and bequests can be used only to further NOAA purposes and must not violate the terms of the trust fund.

Every effort should be made to use gifts or bequests donated for a specific purpose in accordance with the terms of the gift or bequest.

Unconditional gifts and bequests (no matching expense is expected to be incurred), and the income from their investment, shall be used for any purpose that aids or facilitates the work of NOAA. This includes, but is not limited to, the following:

1. Program support, whether or not appropriated funds exist, provided that such expenditures are not barred by law or regulation.
2. Official travel of employees.
3. Official entertainment and representation (see DAO 203-10, *Official Entertainment and Representation Authorizations* for approval requirements).
4. Any other activity where an authorized official determines that a mission-related necessity exists.

Gifts and bequests funds shall not be used for the following types of expenditures:

1. Office parties or social events primarily for the benefit of Government employees or which would not be authorized under DAO 203-10.
2. Other expenditures specifically mentioned in DA0 203-10, such as printing or engraving expenses, issuing Christmas cards or other types of greeting cards, membership fees or dues.
3. Gifts or tokens for Government employees.
4. Travel expenses of family members accompanying employees on official travel, unless such members are performing Governmental functions, including serving in a representational capacity during foreign travel. Advice from the General Counsel should be obtained in such circumstances. For current policy concerning travel, see the NOAA Travel Handbook.

**Any employee who makes unauthorized charges will be required to pay the costs from personal funds.**

## **Procedure**

1. An office requesting use of the Gifts and Bequests Fund must complete a Form CD-464, *Request for Authorization by Primary Operating Unit for Official Entertainment*, available at <http://www.osec.doc.gov/forms/direct.htm>. Appropriate organization and task codes, and a justification and a breakdown of the estimated cost should be included. It should be signed and forwarded to the Gifts and Bequests Manager at least 4 weeks in advance of the expenditure.
2. The Gifts and Bequests Fund Manager reviews Form CD-464 and obtains approval by the appropriate official, as indicated in #3.
3. The CFO must approve requests under \$250. The CFO and the Under Secretary and Administrator, NOAA, or his designee (Chief of Staff), must approve requests from \$250 to \$2,500. The Chief Financial Officer and Assistant Secretary for Administration, DOC, and the Under Secretary and Administrator, NOAA, or his designee (Chief of Staff) must approve requests of \$2,500 or more.
4. The Gifts and Bequests Fund Manager maintains financial records showing the current status of funds availability.
5. If approved, the Gifts and Bequests Fund Manager enters the amount as a commitment in the financial records.
6. The Gifts and Bequests Fund Manager notifies the requestor in writing of the approval or disapproval.
7. The Gifts and Bequests Fund Manager sends a copy of the Form CD-464 to the Finance Office, Financial Reporting Division, General Ledger Branch A, OFA213.

## **Claims**

For all claims of payment, regardless of amount, the requestor shall forward the original receipts/invoices to the Gifts and Bequests Fund Manager, CFMD, OFA34. After comparing the total to the approved amount, the Manager will forward the original receipts/invoices with the original Form CD-464 to the Accounting Operations Division to ask that a check be issued. Payment from the fund shall not exceed the approved amount. The Manager retains one copy of the receipts/invoices and Form CD-464 and forwards a copy to the Financial Reporting Division, General Ledger Branch A, OFA213.

Claims of payment for the Gifts and Bequests Fund shall not be made from imprest funds unless specifically approved by the Gifts and Bequests Fund Manager or the CFO. In that instance, the imprest fund cashier shall follow the normal imprest fund procedures with the servicing Finance Branch or AOD. The Gifts and Bequests Fund Manager shall inform the requestor of the

appropriate organization and task codes to be used on the SF-1165, *Receipt for Cash – Sub-voucher*.

#### 4-08 REQUIREMENTS FOR GIFTS AND BEQUESTS FOR OFFICIAL TRAVEL

Gifts and bequests may be accepted to pay or reimburse, in whole or in part, expenses of NOAA employees in approved official travel in the following circumstances:

1. Travel is in accord with the provisions of this section and with ethical standards of conduct expected of all Federal employees.
2. Generally, travel expenses paid are limited to those authorized by the DOC Travel Handbook. If a non-Federal source makes full payment in excess of the limitations, reimbursement to the employee shall be the amount paid for expenses, provided it does not exceed the amount of expenses incurred. Excess money shall be offered to be returned to the donor by the receiving office.
3. To the extent practicable, donations are made to NOAA by check either in advance or on a reimbursable basis, and not directly to the employee, with NOAA making arrangements for transportation and subsistence in accordance with regular travel policies and procedures.
4. Goods or services in-kind, such as airline tickets, hotel accommodations, and meals, may be accepted for all or part of such travel, if appropriate. When expenses otherwise covered by per diem are donated, per diem paid to the employee must be adjusted accordingly. The employee may receive no more by virtue of the donation than he/she is entitled to under travel rules and regulations.
5. Prior written approval of the Chief Financial Officer and Assistant Secretary for Administration, DOC, is required when the value of the in-kind donation exceeds by \$500 the value of an expense available under the DOC Travel Handbook. Form CD-210 should be used to obtain the approval. Where circumstances prevent obtaining prior approval, the Chief Financial Officer and Assistant Secretary for Administration may give post-approval for accepting the gift. The request for post-approval must explain the circumstances that prevented obtaining prior approval.
6. Lavish travel accommodations should not be accepted in most cases because they constitute personal compensation to the employee. However, if it is clear from the circumstances that the gift was for the convenience of the donor and not for the personal benefit of the employee, it may be accepted. Advice from the Assistant General Counsel for Administration, DOC, or his/her designee should be obtained in these circumstances.

Authorized officials accepting donations for travel expenses must report these donations on Form CD-210 (or Form CD-342 in the case of a donation from a foreign government). If payment from the non-Federal source totals more than \$250 for the event, it must be accompanied by a completed Form SF-326, *Semi-annual Report of Payments Accepted from a Non-Federal Source*, and a Travel Gift Checklist (Exhibit 4-2). The original form(s) must be attached to the travel voucher (required even if there is not expense to NOAA) and forwarded to the servicing Finance

Branch or AOD. Donations in-kind must be specifically authorized in travel orders or administratively approved in travel vouchers. After processing, the servicing Finance Branch or AOD must send Form CD-210 to the Gifts and Bequests Fund Manager, CFMD, OFA34 or by outside mail to NOAA, Gifts and Bequests Fund Manager, HCHB #6013, 14th & Constitution Avenue, NW, Washington, DC 20230-0001.

#### 4-09 GIFTS AND BEQUESTS FOR TRAINING/ATTENDANCE AT MEETINGS

Contributions and awards incident to training in non-Government facilities, and payment of travel, subsistence, and other expenses incident to attendance at meetings may be accepted if they are made by a tax-exempt nonprofit organization as described by sections 501(a) and 501(c)(3) of title 26 of the U.S. Code. Approval for acceptance must be in advance and should follow the conditions and ethical standards used for gifts and bequests in general. In addition, the following factors should be considered in authorizing the acceptance of contributions or awards from non-Government organizations:

1. The general reputation and standing of the organization.
2. The duties and responsibilities of the employee concerned and his/her relationship to the interests of the organization.
3. The relationship between NOAA and the organization, with particular reference to any special responsibilities NOAA has with respect to the organization in such matters as issuing licenses, inspecting, regulating, making grants, or setting standards.
4. The source of the funds used if the organization is not providing its own funds for this purpose.
5. The factors used in selecting the employee as a recipient.

The Form CD-210 shall be used to record the payment. The Form CD-210 should be clearly marked at the top of the form "PAYMENT OF TRAVEL EXPENSES TO ATTEND MEETING."

#### 4-10 GIFTS AND BEQUESTS FOR OFFICIAL ENTERTAINMENT

Donated funds may be used for entertainment under the following circumstances:

1. The entertainment will further a valid function of NOAA and the function could not be accomplished as effectively from the Government's standpoint without the expenditure.
2. The expenditure does not violate any restrictions imposed by the donor on the use of the funds.
3. The entertainment has a legitimate connection with official agency purposes and is not primarily social.

4. Costs per attendee are reasonable and the location is appropriate for official government functions.

Requesters should follow the normal procedure for using the Gifts and Bequests Fund. Requests under \$250 should be submitted at least two weeks prior to the event. Requests \$250 and over should be submitted four weeks prior to the event to allow adequate time for the additional approval required. A request submitted on a short, time-critical basis will be considered, but a written memo explaining the reason for the late submittal must accompany it. All requests should include:

1. dates and nature of the entertainment;
2. planned location;
3. number of persons invited, guest list for Government and non-Government attendees, organizations represented, titles or positions held;
4. breakdown of estimated cost;
5. reason for such entertainment, e.g., how it will further NOAA's mission.

Under the 50/50 rule, a majority of the attendees must be non-Federal employees. If at least 50 % of the attendees will be Federal employees, a waiver must be obtained to determine that the function is not primarily for the benefit of Federal employees. See Section 6 of the CD-424.

#### 4-11 GIFTS AND DECORATIONS FROM FOREIGN GOVERNMENTS

U.S. Government employees should initially refuse the tender of any gift whenever possible. It is the general policy of the U.S. Government to prohibit Federal employees from receiving gifts or decorations of more than minimal value (through 2007, \$305 retail value in the United States at the time of acceptance, or such other dollar threshold as re-determined by the Administrator of General Services, General Services Administration, in consultation with the Secretary of State, at 3-year intervals and published in the Federal Register). Gifts of minimal value tendered and received as a souvenir or mark of courtesy from a foreign government may be accepted and retained by the employee without further approval if they may not be graciously declined. An employee may not accept more than one gift from the same foreign government, when the aggregate value exceeds minimal value, without prior written approval from the Chief, servicing Finance Branch or AOD. When an employee knows in advance that a gift of more than minimal value will be tendered, he/she should request the advice of the DOC General Counsel regarding the acceptance or refusal of the gift. If time does not permit obtaining this advice, the employee should graciously decline the gift, explaining that it is contrary to the policy of the U.S. Government for employees to accept such a gift and, if accepted, it becomes the property of the U.S. Government. However, if it appears in such a situation that a refusal would cause offense or embarrassment, or otherwise adversely affect the foreign relations of the United States, the employee may accept. The employee must deposit a gift of tangible property of more than minimal value with the Director, Office of Administrative Services (OAS), DOC, within sixty (60) days of receipt.

An employee may accept, retain and wear a decoration provided it was tendered in recognition of active field service in time of combat or was awarded for other outstanding performance.

Advance approval should be obtained or, if time does not permit, the employee may accept the decoration and seek such approval in writing immediately thereafter. If these conditions are not fulfilled, the decoration becomes the property of the United States within sixty days.

An employee may not accept a gift of cash, currency or any monies, except that which has a numismatic or historic value, and is otherwise authorized. An employee may not accept a gift of any species of life that is listed as threatened or endangered.

An employee who accepts a gift or decoration of any kind from a foreign government, regardless of value, must file Form CD-342, *Record of Gifts and Decorations from Foreign Governments*, within thirty (30) days of its acceptance. Preparation and approval of Form CD-342 should follow the same guidelines as procedures for Form CD-210. However, in addition, the Gifts and Bequests Fund Manager must forward a copy of Form CD-342 to the Director, OAS.

For more details see DAO 202-739, *Gifts and Decorations from Foreign Governments and to Foreign Individuals*.

#### 4-12 REPORTING REQUIREMENTS

The Finance Office, General Ledger Reporting Branch A, OFA213, shall prepare and submit:

- SF-133, *Report on Budget Execution and Budgetary Resources*, on a quarterly basis to NIST and to the DOC Office of Executive Budgeting;
- quarterly trial balance of the Gifts and Bequests Fund;
- monthly report of Receipts and Expenditures showing the number, source, nature, purpose, and amount of gifts and bequests; the nature and purpose of expenditures to the DOC Office of Executive Budgeting; and,
- TFS-2108, Year-End Closing Statement, to Department of the Treasury.

The Finance Office, Funds Management Branch, OFA211, shall prepare and submit:

- SF-224, *Statement of Transactions*, on a monthly basis to Department of the Treasury.

The Finance Office, Travel and Government Branch, OFA232, and the servicing Finance Branch shall compile and submit:

- SF-326, *Semi-Annual Report of Payments Accepted from a Non-Federal Source*, in April and October to the Office of the Assistant General Counsel for Administration and to the Office of Financial Management, Office of Executive Budgeting for each payment from a non-federal source for travel, subsistence, and related expenses which totals more than \$250 per event. The Office of General Counsel files a semi-annual report with the Office of Government Ethics.

The Real Property Management Division and all Personal Property Management Branches shall, at year-end, review and submit:

- an inventory of all donated property to the Finance Office, Financial Reporting Division, NFA 21.

#### 4-13 EFFECT ON OTHER ISSUANCES

This chapter supersedes NOAA Directives Manual 22-21, Gifts and Bequests to NOAA, dated 5-14-93.

Exhibit 4-1

INSTRUCTION SHEET FOR DONOR OF CHECK TO NOAA

PROCEDURES FOR MAKING A DONATION TO  
THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

1. Make checks payable to:

National Oceanic and Atmospheric Administration

2. Include with the check a transmittal letter which states whether the purpose of the donation is to further the general mission of the National Oceanic and Atmospheric Administration or to further a specific project.

3. Forward the check and the transmittal letter to either:

Under Secretary and Administrator  
National Oceanic and Atmospheric Administration  
Herbert C. Hoover Building, Room 5128  
14th and Constitution Avenue, N.W.  
Washington, D.C. 20230-0001

or

Chief Financial Officer  
National Oceanic and Atmospheric Administration  
Herbert C. Hoover Building, Room 6805  
14th and Constitution Avenue, N.W.  
Washington, D.C. 20230-0001

The Department of Commerce is authorized by Sections 1522-1524 of Title 15, United States Code, to accept donations. For the purpose of Federal income, estate and gift taxes, property accepted under Section 1522 of this title shall be considered as a gift or bequest to or for the use of the United States.

Exhibit 4-2

**TRAVEL GIFT CHECKLIST**

Employee's Name: \_\_\_\_\_

Employee's Line Office: \_\_\_\_\_

Time and Place of Travel: \_\_\_\_\_

\_\_\_\_\_

Identity of Donor: \_\_\_\_\_

For each travel payment, check the appropriate box:

	<u>yes</u>	<u>no</u>
Is the donor the recipient of a grant from the employee's agency/operating unit?	<input type="checkbox"/>	<input type="checkbox"/>

If so, identify the line office with which there is a grant:

\_\_\_\_\_

Does the donor have a contract or business relationship with the employee's agency/operating unit?	<input type="checkbox"/>	<input type="checkbox"/>
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If so, identify the Line Office with which there is a contract or business relationship: \_\_\_\_\_

Is the donor regulated by the employee's agency/operating unit?	<input type="checkbox"/>	<input type="checkbox"/>
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If so, is there a matter currently pending before the agency/operating unit regarding the regulation of the donor?	<input type="checkbox"/>	<input type="checkbox"/>
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Does the donor have interests in controversial matters which may be affected by actions of the employee's agency/operating unit?	<input type="checkbox"/>	<input type="checkbox"/>
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If so, is there a matter currently pending before the employee's agency/operating unit which may affect the donor?	<input type="checkbox"/>	<input type="checkbox"/>
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If the response to any question is "yes," please list a contact person who can knowledgeably discuss the donor's dealings with the operating unit. You may also send this office any information which will explain such dealings. If no information is sent, this office will call the contact person identified.

Contact person: \_\_\_\_\_

Telephone number: \_\_\_\_\_