

**UNITED STATES DEPARTMENT OF COMMERCE
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**COMBINED FEDERAL CAMPAIGN
FREQUENTLY ASKED QUESTIONS ON
FUNDRAISING**

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COMBINED FEDERAL CAMPAIGN FREQUENTLY ASKED QUESTIONS ON FUNDRAISING

The following questions have been asked by Department of Commerce employees about fundraising for the Combined Federal Campaign (CFC). The answers may be useful in guiding all employees. However, employees are required to obtain clearance from an Ethics official before engaging in any CFC fundraising activity. An attorney or ethics program specialist from the Ethics Law and Programs Division of the Office of the Assistant General Counsel for Administration may be contacted for advice or approval by email at ethicsdivision@doc.gov or by telephone at 202-482-5384.

1. Does an office or agency official need to get approval before raising funds for the CFC?

Yes. Fundraising for the CFC must first be approved by an Ethics official (other than for distributing pledge cards to employees for payroll deductions for donations to the CFC).

In the Department of Commerce, approval may be given by:

- pre-clearance, which has been established for specified activities and requires no additional request for approval, or
- case-by-case approval, for any fundraising activity that was not pre-cleared.

Approval is given by staff members of the Ethics Law and Programs Division, who can be contacted by e-mail at ethicsdivision@doc.gov or by telephone at 202-482-5384.

2. What types of CFC fundraising events have been pre-cleared?

The following types of fundraising events have been pre-cleared and do not require further approval from an Ethics official: auctions, lotteries and raffles, and sales *if the conditions set forth below are followed*.

Auctions *if*:

- the items are being auctioned to Federal employees (or other workers sharing the same premises, such as employees of contractors),
- the items for auction are donated by Federal employees (and are not personal services provided by an employee), *and*
- the items for auction are valued at \$50 or less.

Lotteries and raffles (and other games of chance, including door prizes) *if*:

- the prize is donated by a Federal employee,
- the prize is valued at \$50 or less or consists of a lunch with a Government official or an agency parking space not to exceed one month, *and*
- only Federal employees (or employees of contractors who work on Federal premises) are eligible to win.

Sales* (such as bake sales and book sales) *if*:

- the items are being sold* to Federal employees or other workers sharing the same premises, such as employees of contractors,
- The items for sale* are donated by a Federal employee (and are not personal service provided by an employee), *and*
- the items for sale* are valued at \$50 or less.

** Although referred to as a sale, there can be no set charge for any item; contributions must be voluntary and in any amount the donor wishes to provide, or even available to an employee who decides not to donate; however, a suggested donation amount can be listed.*

Fundraising that does not meet these criteria may still be permitted, but will require clearance by an Ethics official on a case-by-case basis.

3. Do all collected contributions go to the CFC General Fund?

No. Unless the event organizer states prominently that all donations will be given to the CFC General Fund, the person giving money has the right to designate a specific charity that will receive his or her contribution. This raises logistical problems, of course, which can be avoided by having all flyers, notices, and signs for fundraising events state that: "All contributions will go to the CFC General Fund" or "All donations will be considered undesignated contributions."

4. Can we hold a fundraising event for a specific charity?

No. Funds raised must go to *either*:

- the CFC General Fund (as undesignated contributions), in which case a sign must so notify all donors *or*
- whatever charity the person donating the funds identifies.

The office or group holding the fundraising event cannot designate a specific charity or charities.

5. Is lunch with a senior official a permissible prize for raffle or item for auction?

Yes. Lunch with a senior official is an acceptable prize for a raffle or item to auction. Furthermore, such events have been pre-cleared so approval from an Ethics official is not needed.

6. Are parking spaces permissible prizes for raffles or items for auction?

Yes. However, the term for the parking space cannot exceed one month. The logistics of the parking space transfer must be coordinated through the Office of Management Support Services at 202-482-1200. Please note that the recipient of the free parking space will have to reduce any transit subsidies he or she receives for the term of the parking space. Raffle off parking spaces has been pre-cleared as a fundraising activity so no further approval from an Ethics official is needed.

7. Can we have a “jeans day” whereby employees may make a donation for the privilege of wearing blue jeans to work?

No. This is because a Department or office policy cannot be suspended or changed in exchange for a CFC donation.

8. Do kickoff events and rallies require clearance by an Ethics official?

No. Kickoff events and rallies do not require clearance. However, if you are conducting any fundraising at a kickoff or rally event, the fundraising event will require clearance by an Ethics official.

9. Can we ask for donations or support from local businesses?

Yes. However, any local businesses that have contracts or grants with, or controversial matters before, your agency (or, for National Oceanic and Atmospheric Administration personnel, your line office) cannot be asked for donations or support. (This is not likely to be the case with local businesses, such as restaurants). You cannot collect more than \$100 from any individual outside business.

10. Can we hold a happy hour at an off-site location and have a portion of the proceeds go to the CFC?

No. CFC fundraising cannot include any sharing of profits with private vendors or individuals.

Also, CFC events where alcohol is provided in connection with donations are generally discouraged.

11. Can we have speakers from CFC-supported charities speak at our event?

Yes. However, in order to assure fair treatment of all charities, for events in the Washington, D.C. area, officials of the Combined Federal Campaign of the National Capital Area (CFCNCA) requested that Federal departments contact them to schedule charities to be involved in their campaign. Volunteers at Commerce can work through their Loaned Executive to tap into the Charity Outreach Program.

Alternatively, Department campaign managers who want to schedule an event involving charities place requests for such events into the Manage[®] software system. Your campaign manager should have access to this system. When a Federal department or agency submits an event request, a CFCNCA coordinator will obtain charity names from Manage (that are either selected randomly or from a pool of potential charities with specific missions requested by the Federal volunteer).

12. Can charities donate items to sell or be used as prizes at our event?

Yes. Charities may donate items to sell or to be used as prizes at your event, but the charity cannot be acknowledged for having donated items or as being a sponsor of the event.

13. Can we use a portion of the proceeds to pay for the cost of supplies for the event?

Yes, but only if the donors are unambiguously informed that a portion of the proceeds from the event will go towards reimbursing individuals for supplies. Furthermore, if individuals pay for supplies they must understand that because reimbursement will depend on a set amount from donations they cannot receive full reimbursement.

14. Can contractors and other members of the public participate in CFC events?

Yes. Any member of the public, including the spouses of employees, contractors, and employees of other Federal agencies, may be invited to CFC fundraising events. However, individuals who are not Federal employees cannot be asked for donations either for the CFC campaign or to support the event itself. However, Federal employees, even of other agencies, may be asked for donations. Members of the public are welcome to participate in any CFC event, including games of chance such as raffles, as long as they are not asked to donate money or time to the event. However, although members of the public may be invited to CFC fundraising events, the public cannot be targeted for fundraising opportunities. The CFC is a program for Federal employees to donate to charities, not for Federal employees to fundraise from the general public on behalf of charities.

15. Can employees sell crafts and split the profits with the CFC?

No. Profit sharing is not allowed. An employee may sell crafts, but 100% of the proceeds from the sale are required to go to the CFC.

16. We have coupons from a local sandwich shop for a free sandwich. May we give these to employees who return their pledge card?

No. Because events must be open and available to all employees regardless of whether they donate to the CFC or not, you cannot offer anything only to employees who complete and submit their pledge card.

17. Can we use appropriated funds to purchase light refreshments for our event?

Probably not. In some circumstances, appropriated funds can be used to further the purposes of the CFC. However, in most cases, appropriated funds cannot be used for refreshments. If you are considering using appropriated funds or have any questions regarding the use of appropriated funds, please contact an attorney in the General Law Division at 202-482-5391 (or the USPTO General Counsel's Office if you are in USPTO).

18. Can employees donate personal services such as massages or pet-sitting?

No. Personal services performed by Department employees cannot be used as prizes or be auctioned.

19. Can there be a fundraiser for a non-CFC charity during the CFC season?

No. The CFC is the only authorized solicitation of employees in the Federal workplace on behalf of charitable organizations. Although certain “in-kind” donations may be collected (e.g., food for food drives), you should contact the General Law Division at 202-482-5391 (or the USPTO General Counsel’s Office if you are in USPTO).

20. Can an employee offer matching funds for contributions made by others to the CFC?

No. The Office of Personnel Management has advised that CFC does not permit employees to donate based on matching the donations of other donors.

For advice on the rules regarding CFC events or clearance for a CFC fundraising event, contact an attorney in the Ethics Law and Programs Division at ethicsdivision@doc.gov or 202-482-5384.

Prepared by the Ethics Law and Programs Division, Office of the Assistant General Counsel for Administration, United States Department of Commerce – 202-482-5384 – ethicsdivision@doc.gov – January 2, 2015

