

GUIDELINES FOR SOLICITING GIFTS AND SUPPORT FOR AGENCY ACTIVITIES

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Extreme caution is necessary when seeking donations to support an agency conference, program, or other activity. It is important that a solicitation program not undermine Department activities by either coercing those who are contacted for a donation or creating an impression of favoritism toward donors.

GUIDELINES WHEN SEEKING FUNDS OR IN-KIND DONATIONS

To meet legal requirements and conform to Department policy, a solicitation program must comply with the following rules.

- Donations must support an agency program.
- There may not be a “quid pro quo” – a gift to an agency in exchange for a service or significant benefit from the agency. This rule does not bar an agency from:
 - (1) providing tickets to an event, if the value of the tickets is less than the donation or
 - (2) acknowledging a gift in signs, on a website, and in remarks by agency speakers.
- Requests for support must be conducted on a non-preferential basis; to avoid appearances of preferential treatment, gifts should be solicited, order of preference:
 - from broad-based groups (such as business organizations, chambers of commerce, professional societies, and trade associations),
 - through broad-based groups to their members, or
 - directly from a wide range of individual companies or organizations in an industry sector or geographic area.
- Requests for donations should not be made to anyone from whom a gift may not be accepted, which include:
 - (1) an agency contractor (or bidder on a contract),
 - (2) an agency grantee (or grant applicant),
 - (3) a licensee (or license applicant),
 - (4) anyone from an industry regulated by the agency, or
 - (5) anyone who has an interest in controversial matters pending before the agency.
- Gifts must be approved by the appropriate agency official and, for gifts of over \$35,000, by the Secretary of Commerce.
- Agency officials may not ask for payments for the travel of Federal employees and funds that are solicited may not be used for the Federal employees to attend meetings or similar events.
- Gifts may not be coerced, or even appear coerced.
- Gifts of services may not be solicited or accepted.