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MEETING RE FOREIGN GIFTS

Wednesday, March 19, 1975

5:30 p.m. (30 minutes)

The Oval Office

From: Bill Casselman 

I. PURPOSE

To decide upon a uniform policy with respect to the exchange of gifts between U.S. and foreign officials, including heads of state.

II. BACKGROUND, PARTICIPANTS & PRESS PLAN

A. Background: In response to the attached memorandum on foreign gift policy, you indicated that you wished to meet with staff to discuss various options.

B. Participants: Phil Buchen, Bill Casselman, Jack Marsh, Don Rumsfeld, Brent Scowcroft.

C. Press Plan: No press coverage.

III. TALKING POINTS

1. As I understand it, we have three basic options. Let's explore the pros and cons of each.

2. We could maintain the present policy of exchanging gifts of varying and even significant value, as strongly favored by the Department of State.

3. We could limit gifts to items of moderate value, such as autographed pictures, as recommended by Counsel to the President.

4. Finally, we could submit legislation limiting official gifts to foreign dignitaries to items of moderate cost (e.g. less than \$50). This approach has support on Capitol Hill from Senator Proxmire and others.

5. There is also a question as to what Government policy should be as to public disclosure of foreign gifts given and received.

THE WHITE HOUSE

WASHINGTON

October 20, 1975

MEMORANDUM FOR: BRENT SCOWCROFT

FROM: PHILIP BUCHEN *P.*

SUBJECT: Gifts to U. S. Government
Officials

In view of the information being disclosed to the House Select Committee involving the Barzani gifts and the discussions we had last evening, I attach the following:

- (1) A copy of the statute on foreign gifts and decorations (5 USCA, Section 7342).
- (2) Regulations issued from the State Department on acceptance of gifts and decorations from foreign governments (22 CFR, part 3).
- (3) Procedures adopted for processing of gifts received by or on behalf of the President which are from foreign sources.
- (4) Page 4 of the Standards of Conduct for the White House staff with possibly relevant subparagraphs marked.

If the gifts in question were from an "official agent or representative" of a foreign government, the statute and the regulations would apply and the use or the disposition thereof would be controlled by Section 3.6 of the regulation. If the gifts are not from such an official agent or representative, they are then subject to the Standards of Conduct for the White House staff as shown in the attached excerpt.

This excerpt comes from the current Standards of Conduct, but the same provisions appeared in the Standards of Conduct which were in effect under President Nixon. I do not have copies of the State Department's standards of conduct, but I assume they contain similar provisions.

I am very fearful that unless there is compliance with the procedural requirements imposed by either the foreign gifts regulation or the standards of conduct, the Committee may use the information supplied to make telling charges of non-compliance. It is also likely that the Committee may use this opportunity to investigate the whole story of gifts involving persons in the service of the State Department, CIA, and the White House insofar as gifts or other favors have come from governments, organizations, or persons benefiting from covert activities or other intelligence related functions of the U. S. government.

The urgency of this situation, I believe, requires that a meeting be held promptly which should include Jack Marsh and Don Rumsfeld or someone from Don's office.

Attachments

cc: Jack Marsh ✓
Don Rumsfeld

SUBCHAPTER IV—FOREIGN GIFTS AND DECORATIONS

1957 Amendment. Pub.L. 85-53, § 1(45) "Foreign Decorations" in the subchapter (A), Sept. 11, 1957, 81 Stat. 208, substituting heading. heading. of "Foreign Gifts and Decorations" for

§ 7341. Repealed. Pub.L. 90-83, § 1(45) (B), Sept. 11, 1967, 81 Stat. 208

Historical Note

Section, Pub.L. 80-554, Sept. 6, 1968, 80 Stat. 828, related to receipt and display of foreign decorations, and is now covered by section 7342 of this title.

§ 7342. Receipt and disposition of foreign gifts and decorations

(a) For the purpose of this section—

(1) "employee" means—

(A) an employee as defined by section 2105 of this title;

(B) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or of the District of Columbia;

(C) a member of a uniformed service;

(D) the President;

(E) a Member of Congress as defined by section 2106 of this title; and

(F) a member of the family and household of an individual described in subparagraphs (A)–(E) of this paragraph;

(2) "foreign government" means a foreign government and an official agent, or representative thereof;

(3) "gift" means a present or thing, other than a decoration, tendered by or received from a foreign government; and

(4) "decoration" means an order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

(b) An employee may not request or otherwise encourage the tender of a gift or decoration.

(c) Congress consents to—

(1) the accepting and retaining by an employee of a gift of minimal value tendered or received as a souvenir or mark of courtesy; and

(2) the accepting by an employee of a gift of more than minimal value when it appears that to refuse the gift would be

likely to cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States.

However, a gift of more than minimal value is deemed to have been accepted on behalf of the United States and shall be deposited by the donee for use and disposal as the property of the United States under regulations prescribed under this section.

(d) Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the agency, office or other entity in which the employee is employed and the concurrence of the Secretary of State. Without this approval and concurrence, the decoration shall be deposited by the donee for use and disposal as the property of the United States under regulations prescribed under this section.

(e) The President may prescribe regulations to carry out the purpose of this section. Added Pub.L. 90-83 § 1(45) (C), Sept. 11, 1967, 81 Stat. 203.

Historical and Revision Notes

Reviser's Notes

Section of title 5	Source (U.S. Code)	Source (Statutes at Large)
7342(a)	22:2621	Oct. 15, 1966, Pub.L. 89-673, § 2, 80 Stat. 952.
7342(b)	22:2622	Oct. 15, 1966, Pub.L. 89-673, § 3, 80 Stat. 952.
7342(c)	22:2623	Oct. 15, 1966, Pub.L. 89-673, § 4, 80 Stat. 952.
7342(d)	22:2624	Oct. 15, 1966, Pub.L. 89-673, § 5, 80 Stat. 952.
7342(e)	22:2626	Oct. 15, 1966, Pub.L. 89-673, § 7, 80 Stat. 952.

The definitions of "employee" and "uniformed services" in 5 U.S.C. 2105 and 2101 are broad enough to cover the persons included in 22 U.S.C. 2621(1) with the exception of (1) individuals employed by, or occupying an office or position in, the government of a territory or possession of the United States or of the District of Columbia, (2) the President, and (3) Members of Congress, who, accordingly, are covered in paragraphs (B), (D), and (E). As the Canal Zone Government is an independent agency of the United States, see section 31 of title 2, Canal Zone Code, an employee thereof is an "employee" as defined in 5 U.S.C. 2105.

In subsection (b), the words "An employee may not" are substituted for "No

person shall" to conform to the definition applicable and style of title 5, United States Code.

In subsection (c), the words "under regulations prescribed under this section" are substituted for "in accordance with the rules and regulations issued pursuant to this Act".

In subsection (e), the words "The President may prescribe regulations to carry out the purpose of this section" are substituted for "Rules and regulations to carry out the purposes of this Act may be prescribed by or under the authority of the President". Under 5 U.S.C. 301, the President may delegate the authority vested in him by this section.

(a) Persons so designated shall be authorized to carry firearms when engaged in the performance of the duties prescribed in section (1) of the Act of June 28, 1955, 69 Stat. 188, as amended. No person shall be so designated unless he has either qualified in the use of firearms in accordance with standards established by the Deputy Assistant Secretary of State for Security, or in accordance with standards established by the department or agency from which he is detailed.

(b) Persons so designated shall also be authorized, when engaged in the performance of duties prescribed in section (1) of the Act of June 28, 1955, 69 Stat. 188, as amended, to arrest without warrant and deliver into custody any person violating the provisions of Section 111 or 112 of Title 18, United States Code, in their presence or if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

(Sec. 4, 63 Stat. 111, as amended, sec. 1, 69 Stat. 188; 22 U.S.C. 2658, 2666) [Dept. Reg. 108.514, 29 F.R. 15571, Nov. 20, 1964]

PART 3—ACCEPTANCE OF GIFTS AND DECORATIONS FROM FOREIGN GOVERNMENTS

Sec.

- 3.1 Purpose.
- 3.2 Application of this part.
- 3.3 Definitions.
- 3.4 Release of gifts and decorations on deposit in the Department of State through October 14, 1966.
- 3.5 Gifts and decorations received by any person after October 14, 1966.
- 3.6 Use or disposal of gifts and decorations which become the property of the United States.
- 3.7 Revocation of previous regulations.

AUTHORITY: The provisions of this Part 3 issued under sec. 4, 63 Stat. 111, as amended, sec. 7, 80 Stat. 952; 22 U.S.C. 2658, 2626. E.O. 11320, 31 F.R. 15789; 3 CFR 1966-1970, page 659.

SOURCE: The provisions of this Part 3 contained in Dept. Reg. 108.556, 32 F.R. 6569, Apr. 28, 1967, unless otherwise noted.

§ 3.1 Purpose.

The purpose of this part is to establish uniform basic standards for the acceptance of gifts and decorations from foreign governments by U.S. Government officers and employees, including members of the armed forces, and members of their families.

§ 3.2 Application of this part.

This part applies to all persons occupying an office or a position in the Executive, Legislative and Judicial branches of the Government of the United States.

§ 3.3 Definitions.

As used in this part—

(a) The term "person" includes every person who occupies an office or a position in the Government of the United States, its territories and possessions, the Canal Zone Government, and the Government of the District of Columbia, or is a member of the Armed Forces of the United States, or a member of the family and household of any such person. For the purpose of this part, "member of the family and household" means a relative by blood, marriage or adoption who is a resident of the household.

(b) The term "foreign government" includes every foreign government and every official, agent, or representative thereof.

(c) The term "gift" includes any present or thing, other than a decoration, tendered by or received from a foreign government.

(d) The term "decoration" includes any order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

(e) The term "gift of minimal value" includes any present or other thing, other than a decoration, which has a retail value not in excess of \$50 in the United States.

(f) The term "outstanding or unusually meritorious performance" includes performance of duty by a person determined by the appropriate agency to have contributed to an unusually significant degree to the furtherance of good relations between the United States and the foreign government tendering the decoration.

(g) The term "special or unusual circumstances" includes any circumstances which would appear to make it improper for the donee to receive a gift or decoration, and also includes, in some instances, the very nature of the gift itself.

(h) The term "appropriate agency" means the department, agency, office, or other entity in which a person is employed or enlisted, or to which he has been appointed or elected. If the donee is not so serving, but is a member of the

family and household of such a person, then the "appropriate agency" is that in which the head of the household is serving.

(i) The term "approval by the appropriate agency" includes approval by such person or persons as are duly authorized by such agency to give the approval required by these regulations.

(j) The term "Chief of Protocol" means the Chief of Protocol of the Department of State.

§ 3.4 Release of gifts and decorations on deposit in the Department of State through October 14, 1966.

Any gift or decoration on deposit with the Department of State on the effective date of this part shall, following written application to the Chief of Protocol and subsequent approval by the Chief of Protocol and the appropriate agency, be released through the appropriate agency to the donee or his legal representative. Such donee may also, if authorized by the appropriate agency, wear any decoration so released. Approval for release will normally be given unless, from the special or unusual circumstances involved, it would appear to the Chief of Protocol to be improper to release the item. Any gifts or decorations not approved for release will become the property of the U.S. Government and will be used or disposed of in accordance with the provisions of § 3.6.

§ 3.5 Gifts and decorations received by any person after October 14, 1966.

(a) *General policy.* No person shall request or otherwise encourage the tender of a gift or decoration.

(b) *Gifts of minimal value.* Subject to individual agency regulations, table favors, mementos, remembrances, or other tokens bestowed at official functions, and other gifts of minimal value received as souvenirs or marks of courtesy from a foreign government may be accepted and retained by the donee. The burden of proof is upon the donee to establish that the gift is of minimal value as defined by this part.

(c) *Gifts of more than minimal value.* Where a gift of more than minimal value is tendered, the donor should be advised that it is contrary to the policy of the United States for persons in the service thereof to accept substantial gifts. If, however, the refusal of such a gift would be likely to cause offense or embarrassment to the donor, or would adversely

affect the foreign relations of the United States, the gift may be accepted and shall be deposited with the Chief of Protocol for disposal in accordance with the provisions of § 3.6.

(d) *Decorations.* Decorations received which have been tendered in recognition of active field service in connection with combat operations, or which have been awarded for outstanding or unusually meritorious performance, may be accepted and worn by the donee with:

(1) the approval by the appropriate agency and (2) the concurrence of the Chief of Protocol. Within the Department of State, the decision as to whether a decoration has been awarded for outstanding or unusually meritorious performance will be the responsibility of the supervising Assistant Secretary of State or comparable officer for the person involved. In the absence of approval and concurrence under this paragraph, the decoration shall become the property of the United States and shall be deposited by the donee with the Chief of Protocol for use or disposal in accordance with the provisions of § 3.6. Notwithstanding the foregoing, decorations tendered to U.S. military personnel for service in Viet-Nam may be accepted and worn as provided by the Act of October 19, 1965, Public Law 89-257, 79 Stat. 982.

§ 3.6 Use or disposal of gifts and decorations which become the property of the United States.

Any gift or decoration which becomes the property of the United States under this part may be retained for official use by the appropriate agency with the approval of the Chief of Protocol. Gifts and decorations not so retained shall be forwarded to the General Services Administration by the Chief of Protocol for transfer, donation, or other disposal in accordance with such instruction as may be furnished by that officer. In the absence of such instructions, such property will be transferred or disposed of by the General Services Administration in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, and the Federal Property Management Regulations (41 CFR Ch. 101, Subchapter H). Standard Form 120, Report of Excess Personal Property, and Standard Form 120A, Continuation Sheet, shall be used in reporting such property, and the Foreign Gifts and Decorations Act of 1966 shall be cited on the reporting docu-



ment. Such reports shall be submitted to General Services Administration, Region 3, Attention: Property Management and Disposal Service, Seventh and D Streets SW., Washington, D.C. 20407.

§ 3.7 Revocation of previous regulations.

The regulations in this part shall supersede all regulations heretofore in effect concerning the acceptance of gifts and decorations from foreign governments to persons in the service of the United States or to members of their families.

PART 4—NOTIFICATION OF FOREIGN OFFICIAL STATUS

Sec.

- 4.1 Persons required to give notification.
- 4.2 Persons exempted from the requirement to give notification.
- 4.3 Form to be used in giving notification.
- 4.4 Form required in duplicate.
- 4.5 Time limit for the submission of the form.
- 4.6 Termination of official status and departure from the United States.

AUTHORITY: The provisions of this Part 4 issued under sec. 10, 56 Stat. 257, sec. 4, 63 Stat. 111, as amended; 22 U.S.C. 620, 2658.

SOURCE: The provisions of this Part 4 appear at 22 F.R. 10788, Dec. 27, 1957, unless otherwise noted.

§ 4.1 Persons required to give notification.

All persons who are entitled to exemption from the registration and fingerprinting requirements of the Alien Registration Act of 1940 (54 Stat. 670), as amended, are required to give notification to the Secretary of State of their presence in the United States. Such persons comprise foreign government officials, members of their families (including relatives by blood or marriage regularly residing in or forming a part of their household), and their employees and attendants.

§ 4.2 Persons exempted from the requirement to give notification.

Ambassadors and ministers, and members of their missions named in the Diplomatic List issued monthly by the Department of State, are exempted from the requirement to give notification to the Secretary of State under this part.

§ 4.3 Form to be used in giving notification.

A Notification of Status with a Foreign Government form is to be used by the

several diplomatic missions in Washington in giving notification of foreign official status to the Secretary of State.

§ 4.4 Form required in duplicate.

The form is to be submitted to the Secretary of State in duplicate.

§ 4.5 Time limit for the submission of the form.

(a) The form is to be submitted within 30 days after the arrival of the foreign official in the United States or after a change from a nonofficial to an official status.

(b) If the official status claimed is not recognized by the Secretary of State, the person submitting the form must register within another 30 days under the requirements of the Alien Registration Act.

§ 4.6 Termination of official status and departure from the United States.

(a) The diplomatic missions in Washington should notify the Secretary of State of the termination of service of all officials and employees, giving the dates of such termination of service, the dates and ports of their departure from the United States, or their addresses if they are remaining in the United States.

(b) Aliens remaining in the United States after terminating their status as officials or employees are required to be registered and finger-printed within 30 days thereafter under sections 37(a), 34(a) and 32(c) of the Alien Registration Act (54 Stat. 674, 675; 8 U.S.C. 453, 455, 458).

PART 5—ORGANIZATION

Sec.

- 5.1 Introduction.
- 5.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and method by which its functions are channeled and determined.
- 5.3 Rules of procedure, description of forms available or the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.
- 5.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

AUTHORITY: The provisions of this Part 5 issued under sec. 4, 63 Stat. 111, as amended,

Procedures for the Processing of Gifts Subject to the
Foreign Gifts and Decorations Act of 1966,
and other Gifts from Foreign Sources.

1. All gifts received by or on behalf of the President and his family are to be delivered to the White House Mail Room or the Gift Unit upon receipt.
2. The White House Mail Room will:
 - (a) Assign identity numbers to each item;
 - (b) For each gift from a foreign source, prepare a pink card in sextuplicate, containing all pertinent information about the gift;
 - (c) Affix identify number to gift item or its container, and original and all copies of the pink card;
 - (d) Send gift, along with original and three copies of the pink card, to the Gift Unit; and
 - (e) Retain two copies of the pink card for appropriate filing in the Mail Room.
3. Gifts received directly by the Gift Unit will be logged in coordination with the Mail Room, i.e., identity number assigned by the Mail Room, two copies for the Mail Room files, etc.
4. Gift Unit will segregate cards and gifts into the following categories:
 - (a) Gifts clearly worth less than \$50.00 (Smithsonian will make available appraisers where necessary to assist in this determination);
 - (b) Gifts over \$50.00;
 - (c) Gifts of jewelry and other items of great value, requiring special handling for safekeeping;
 - (d) Gifts of consumables and perishables.

Following this initial segregation, the Gift Unit will arrange for photographing all gifts falling into categories 4(b) and (c).

After segregation, the Gift Unit will send a copy of each pink card to the Chief of Protocol for review prior to the inspection required in 6(b), infra.

- 6 a. When immediate use of a gift is anticipated at the time of its receipt in the Gift Unit, the Gift Unit will prepare a request for that use which will be promptly sent to the Chief of Protocol (along with a copy of the pink card) for his approval. When there is insufficient time to request such approval in writing, telephonic approval may be sought from the Office of the Chief of Protocol. However, this is to be followed by a written request and response approving this use. As soon as practicable, the gift shall be photographed and a copy sent to the Office of the Chief of Protocol. These gifts shall be available for inspection by the Chief of Protocol or his designee. Once this particular official use has ceased, the Gift Unit shall notify the Office of the Chief of Protocol in order that the normal procedures for reporting the item to GSA can be completed (see 6b, infra).
- b. Every two weeks the Chief of Protocol or his designee will visit the Gift Unit to inspect all gifts from foreign sources (and the pink cards for these gifts) received since the last inspection (with exception for items described in 4(d), supra, for which the Gift Unit shall be given authority to dispose of on receipt (see Attachment A)). The Chief of Protocol or his designee will examine the gift and classification tentatively made by the Gift Unit and will determine and/or concur with the appropriate classification as to statutory or non-statutory gift, indicate such on the pink card, and initial and date all pink cards for gifts from foreign sources.
7. The Gift Unit will prepare a declaration card (furnished by the Chief of Protocol) on all items determined to fall under the Act and forward the card, with a photograph of the gift attached, to the Chief of Protocol within forty-eight (48) hours after inspection.
8. The Chief of Protocol will then prepare a Form 120 reporting gifts under the Act to the General Services Administration (GSA) with instructions that they be deposited in the National Archives for eventual inclusion in a Presidential Library or other appropriate location as determined by the Archivist and authorizing their use, in the interim, for display and other uses consistent with instructions from the Chief of Protocol to GSA at the time of reporting (see Attachment B).

9. The Chief of Protocol shall forward to the Gift Unit a copy of the Form 120 which will serve as authorization for the Gift Unit to turn over those gifts listed thereon to GSA. GSA (National Archives) in cooperation with the Gift Unit will pack the gifts. Specific procedures will be developed between Archives and the Gift Unit for the following:

- (a) inventory of boxes,
- (b) standardization of box sizes,
- (c) packing of boxes,
- (d) segregation of items by value,
- (e) continuing records maintenance, preparation of receipts for loaned items and availability for inspection by the Chief of Protocol, his designee or the public.

10. If at any time a request is made to utilize a gift under the Act in a manner not specified in Attachment B, the Archivist must forward the request to the Chief of Protocol and receive his written approval.

THE CHIEF OF PROTOCOL
DEPARTMENT OF STATE
WASHINGTON

December 18, 1974


MEMORANDUM FOR DONALD H. RUMSFELD
THE WHITE HOUSE

Subject: Disposal of Perishable and Consumable
Presidential Gifts Falling Under the
Foreign Gifts and Decorations Act
of 1966, as amended.

Under the authority granted to me by Section 3.6,
Title 22, Code of Federal Regulations, the White House
Gift Unit is hereby authorized to:

1. Receive on behalf of the Chief of Protocol perishable gifts valued in excess of \$50 (flowers and food items).
2. Permit all flowers sent to the President or his family to be used:
 - a. in decorating the White House complex;
 - b. at official White House functions both within and without the White House complex; and
 - c. in military or tax-exempt hospitals;
 - d. in such other places as the President and his family may stay.
3. Consistent with the security regulations of the Secret Service, provide such perishable items for use at appropriate official government functions.

4. When the use of perishables is not desired, forward the items in question to the Office of the Chief of Protocol for disposition consistent with the provisions of 22 CFR, Sec. 3.6.
5. In instances not covered by this memo, the Gift Unit may contact the Chief of Protocol or his designee by telephone for additional instructions as to disposition. Such telephonic instructions will be confirmed in writing by the Office of the Chief of Protocol.
6. All above instructions are to be subject to the security regulations of the Secret Service.


Henry E. Catto, Jr.

THE CHIEF OF PROTOCOL
DEPARTMENT OF STATE
WASHINGTON

December 18, 1974

MEMORANDUM FOR: Arthur F. Sampson
Administrator, GSA

SUBJECT: Disposition of Presidential Gifts

In accordance with the Foreign Gifts and Decorations Act of 1966, as amended (Act), and Section 3.6, Title 22, Code of Federal Regulations, the items listed on Standard Form 120, which are gifts received from foreign governments subject to the Act, are forwarded to the General Services Administration (GSA) for disposal.


The following instructions are furnished concerning the disposition of these items:

1. All items not otherwise designated for specific use are to be stored in safe-keeping by the Archivist of the United States in a location under his control.
2. In accordance with the provisions of Chapter 21, Title 44, United States Code, at such a time as there is established a Presidential archival depository for the permanent storage and display of the papers and historical materials of the Administration of President Gerald R. Ford, these items are to be transferred to this Presidential archival depository, or any Presidential archival (temporary) depository so designated by the Archivist.
3. In the absence of such a Presidential archival depository, the Archivist is to deposit these items in other appropriate museums with the approval of the Chief of Protocol.

4. In the meantime, the Archivist is authorized to make available, without further approval from the Chief of Protocol, at the request of the President or his designees, any of these items for the following purposes:
 - a. Display within the White House complex or at any other location on Federal property in connection with Presidential activity.
 - b. For uses incident to official Presidential functions within and without the White House complex.
 - c. For temporary public display at a museum, university, or other institution or institutional facility of general availability to the public.

5. In addition, the Archivist may make these items available for such other purposes as are requested by the President or his designees upon receipt of:
 - a. A written request from the President or his designee and
 - b. Written approval from the Chief of Protocol, Department of State.
 - c. When there is insufficient time to secure either a written request from the President or his designee or written approval from the Chief of Protocol, a telephonic request and/or approval of the Chief of Protocol or his designee may be obtained. However, this is to be promptly followed by a written request and/or response approving this request.

6. The Archivist is responsible for careful and complete documentation of all movements, loans and other activities relating to these items, including obtaining and retaining receipts on all deliveries. All requests and instructions are to be in writing, consistent with the provisions of 5c., supra.
7. Any deviations from the procedures outlined herein are to be reported immediately in writing to the Chief of Protocol.


Harry E. Catto, Jr.

with the Counsel to the President if you have any questions or need specific advice or guidance regarding the retention of former employee benefits, possible divestiture of holdings, or any problems related to the establishment of trusts or other financial arrangements which might be necessary to avoid a conflict of interest with your position.

Please note that the fact that a staff member might not be required to file such a statement does not relieve him of the obligation to refrain from participation in any matter in which he or his immediate family or business associates may have a financial interest. Also, although these statements are a form of notice of a staff member's financial and employment interests, this should not be considered to relieve him of the requirement to disclose his financial interests in a matter upon which he is called to work and to refrain from any further participation until the question of possible conflict of interest is resolved.

4. Gifts, Loans, Entertainment and Favors

Federal statutes prohibit your acceptance of a gift from a fellow employee receiving less pay than yourself, and it is also contrary to law to solicit contributions for gifts to an employee in a superior official position or to individually give such a gift or donation. These restrictions are designed to remove any question that a person might attempt to gain favor with a superior by the giving of a gift, and also to resolve that no such gifts are expected, and therefore are not interpreted to preclude the exchange of gifts of nominal value between co-workers within a particular office on traditional occasions.

Members of the White House staff may not solicit or accept a gift, favor, entertainment, loan or any other thing of monetary value from any corporation or person who has or is seeking contractual or business dealings with any department or agency in the Executive Branch, or who conducts activities which are regulated by any department or agency in the Executive Branch, or who has any interests which may be substantially affected by the performance of your job. This latter group may include persons in the federal government as well as those outside the government.

There are, of course, some exceptions to these prohibitions. You may consider accepting a reasonable gift or entertainment from a close personal friend or relative who has dealings with

the government, when it is clear that the motivation for the gift is the personal relationship. However, in such a case, due consideration must be given to avoiding an appearance of a conflict of interest. If, for example, the representative of a company having extensive government contracts is a neighbor with whom you have been socially close and exchanged Christmas gifts for years, there would be no real conflict in accepting a gift offered. However, if the appearance created by receipt of such a gift would create a problem, then it would be best not to accept the gift. Again, appearances of conflict often create greater problems than true conflicts.

Any proscribed gift should be returned to the donor, accompanied by a written explanation of the reasons for its necessary return. It is recommended that you retain a copy of this letter in your files. When the return of a gift is not possible for any reason, the gift should be forwarded to the Office of the Counsel to the President with a written explanation of the infeasibility of its return. The gift will then be turned over to charity.

You are not precluded from accepting unsolicited advertising or promotional items of a nominal intrinsic value, such as pens, pencils, note pads, calendars, etc. As a rule of thumb, gifts having a value of \$10 or less are considered to be of "nominal value." Please note that if the item is not of an advertising or promotional nature, it should be returned, *regardless of its value*, unless there is another justification for its retention.

Nor do these rules preclude your acceptance of food or refreshments of nominal value in the ordinary course of a luncheon or dinner meeting, or while in attendance at a function where you are otherwise properly in attendance.

Likewise, you are obviously not precluded from accepting loans from financial institutions on customary terms for use in financing the purchase of a home, automobile or incurring similar expenditures.

5. Reimbursement of Travel, Lodging and Related Expenses While on Official Business

When a staff member is travelling on official business, the general rule is that it is not permissible for him to accept hotel accommodations or reimbursement for transportation or lodging expenses from any person or non-governmental organization. Likewise, it is not permissible to accept transportation in private aircraft. There

