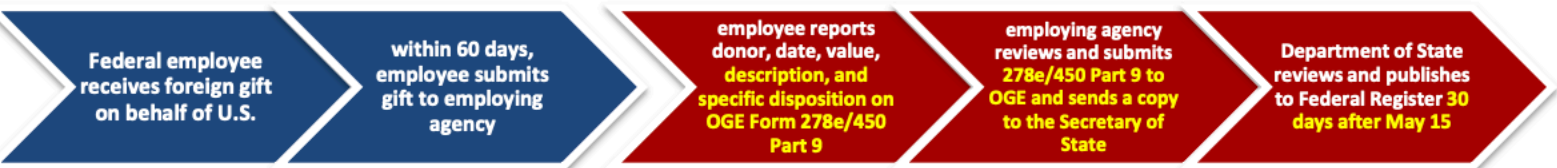


5 U.S.C. §7342 FOREIGN GIFTS AND DECORATIONS ACT



- GIFT:** Tangible/intangible present tendered by/received from a foreign government or foreign organization.
- VALUE:** Minimum gift value of \$480 or more in the U.S. at the time of acceptance. Federal entities may self-define minimal value (e.g., U.S. Senate is \$100+).
- EMPLOYEE:** The President, Vice President, Congress, U.S. Military, Judicial Branch, Candidates, Federal Employees, Contractors, Spouses, Minor Dependents, and Students 23 years old and under.
- FOREIGN GOV'T:** Any unit of foreign governmental authority, any international or multinational organization (e.g., NATO) whose membership is composed of any unit of foreign government or an agent/representative acting as such.
- ACCEPTANCE:** Congress allows acceptance of foreign travel, educational scholarships, decorations, medical treatments, and gifts above \$480 only if refusal would be an “embarrassment to the donor and the U.S. Government.”
- REPORTING:** On January 31st, the Department of State’s politically appointed Chief of Protocol receives lists of foreign gifts from all federal employees. The report is due 11 days AFTER the end of a Presidential term when 4,000 politically appointed federal employees leave office, including the Protocol Chief. Without a deadline to publish in the Federal Register, the report is released at will and includes footnotes not seen by the giftee.
- PENALTY:** The employing agency is responsible for reporting to the Attorney General (AG) an employee who knowingly solicits a gift from a foreign government or fails to deposit or report a foreign gift for possible civil action in any U.S. District Court.

THE GARD ACT



- ELIMINATES** mismanagement and inconsistent foreign gift reporting proven to be unreliable, inaccurate, and burdensome.
- TRANSFERS** the collection of foreign gift disclosures from the Department of State to the Office of Government Ethics.
- UTILIZES** the Office of Government Ethics’ existing gift reporting process using Form OGE 278e/450 Part 9.
- REQUIRES** disclosure of foreign gifts given to adult children and relatives over \$480.
- PROTECTS** the identity of minor children, students, and disabled dependents by redacting personal information.
- AVOIDS** embarrassing foreign donors and the U.S. Gov’t while ensuring transparent and accurate gift dispositions.
- INSTRUCTS** Department of State to publish Foreign Gift List in the Federal Register within 30 days of receipt.
- EXPANDS** designation of foreign entities to include foreign individuals, businesses, not-for-profit organizations, etc.
- PROHIBITS** federal employees from accepting gifts from countries of concern as designated by the Secretary of State.
- PENALTY** of \$200 for reports filed more than 30 days after the due date, with an option to waive this fee if appropriate.