



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
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August 17, 2011
LA-11-05

MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Don W. Fox
Acting Director

SUBJECT: Increased Gifts and Travel Reimbursements Reporting Thresholds for Financial Disclosure Reports and Nonsponsor Widely Attended Gatherings Gift Exception Ceiling

A. Gifts and Travel Reimbursements Reporting Thresholds

The Office of Government Ethics (OGE) has issued final rule amendments that in pertinent part revise the executive branch financial disclosure regulation at 5 C.F.R. §§ 2634.304 and 2634.907(g). These amendments reflect the statutory increase, retroactive to January 1, 2011, of the thresholds for reporting of gifts, reimbursements and travel expenses for both the public and confidential report systems. See 73 Fed. Reg. 38547-38548 (July 1, 2011). The new aggregation threshold for the reporting of gifts and reimbursements received from any one source on financial disclosure reports is "more than \$350"; items worth "\$140 or less" do not need to be counted towards that overall threshold.¹ The Ethics in Government Act and OGE regulations tie these increases to the General Services Administration's increase in the "minimal value" for purposes of the Foreign Gifts and Decorations Act, 5 U.S.C. § 7342, for the three-year period 2011-2013. See 76 Fed. Reg. 30550-30551 (May 26, 2011).

The calendar year 2010 Public and Confidential Financial Disclosure Reports (SF/OGE 278 and OGE Form 450) being filed this year are not affected by this change, because the new gifts and reimbursements thresholds only became applicable as of the beginning of 2011. However, any newly filed termination SF/OGE 278 public reports will be affected for the portion of 2011 covered. However, it is not necessary to contact termination filers regarding such reports already filed this year.

Departments and agencies should notify their report filers of these new thresholds. OGE will include the new thresholds in future editions of the two report forms and post a notice hereof in the forms section of its Website (www.usoge.gov).

¹ The prior reporting amounts were more than \$335 for the aggregation threshold and \$134 or less for excepted items.

B. Nonsponsor Widely Attended Gatherings Gift Exception Ceiling

Similarly, in the branchwide standards of ethical conduct regulation at 5 C.F.R. § 2635.204(g)(2), OGE has raised from \$335 to \$350 the widely attended gathering gift exception ceiling for nonsponsor gifts of free attendance. That exception ceiling is based in part on the aggregate gifts and reimbursements reporting threshold. OGE made this regulatory revision, which does not reflect any underlying statutory increase, effective July 1, 2011, when the amendatory rulemaking was published in the Federal Register.