

SEMIANNUAL REPORT OF PAYMENTS ACCEPTED FROM A NON-FEDERAL SOURCE

Form Approval: 0416-GSA-SA

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This report implements 31 U.S.C. 1353. It does not supersede other reports that may have to be filed when travel expenses are accepted under other authority. For definition and policies, see 41 CFR part 304-1.

REPORTING DEPARTMENT OR AGENCY

REPORTING PERIOD

U.S. Embassy Brussels, U.S. Mission to the EU, USNATO

OCTOBER 1 - MARCH 31 (Year)
2018

APRIL 1 - SEPTEMBER 30 (Year)

NEGATIVE REPORT

TRAVELER (Name/Title)	EVENT DESCRIPTION/SPONSOR/ DATES	LOCATION AND TRAVEL DATES	SOURCE	BENEFITS ACCEPTED			AMOUNT
				DESCRIPTION	CHECK	IN-KIND	
EXAMPLES John Smith Secretary	Conference on Asia-Pacific Relations sponsored by Asia-Pacific Forum.	San Francisco, CA 8/11-13/93	Asia-Pacific Forum Pacific Rim Assoc.	Hotel	X	X	\$280
				Air Transportation Meals	X	X	825
							120
Joyce Smith Spouse of Secretary	Conference on Asia-Pacific Relations sponsored by Asia-Pacific Forum.	San Francisco, CA 8/11-13/93	Asia-Pacific Forum Pacific Rim Assoc.	Air Transportation Meals	X	X	\$825
							120
Tamir Waser	Discussion of NATO-EU cooperation on Counterterrorism	Paris, France		Train	X		136.00
				Taxis		X	100.00
USNATO Political Officer	German Marshall Fund of the U.S.	10/12/2017	German Marshall Fund/ USNATO	Air Transportation	X		671.00
Kay Bailey Hutchinson	Meetings and travel with members of North Atlantic Council	Pristina, Kosovo					
Ambassador, USNATO	Slovenian Government	10/27/2017	North Atlantic Council				
Kay Bailey Hutchinson	Participate in meetings during the Halifax International Security Forum	Halifax, Nova Scotia		Air Transportation	X		500.00
Ambassador, USNATO	Halfax International Security Forum	DATES	Halfax International Security Forum				
Kay Bailey Hutchinson	Accompany NATO Sec Gen Jens Stoltenberg on official tour of F-35 production facility	11/17/2017		Local Transport/Meal		X	100.00
Ambassador, USNATO	Lockheed Martin	04/05/2018	Lockheed Martin				

AUTHORIZED FOR LOCAL REPRODUCTION

TRAVELER (Name/Title)	EVENT		LOCATION AND TRAVEL DATES		SOURCE	BENEFITS ACCEPTED				
	DESCRIPTION	SPONSOR/DATES	LOCATION	TRAVEL DATES		DESCRIPTION	CHECK	IN-KIND	AMOUNT	
NAME Christopher McKinney	DESCRIPTION Lecture on U.S.-EU Trade Relations/U.S. perspective on international issues	SPONSOR	LOCATION Speyer, Germany	DATES	University of Speyer	Air Transportation	X		184.00	
TITLE Trade Officer, U.S. Mission to the European Union	DESCRIPTION University of Speyer	DATES:	LOCATION 04/09/2018							
NAME	DESCRIPTION	SPONSOR	LOCATION	DATES						
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TITLE	DESCRIPTION	SPONSOR	LOCATION	DATES						

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Action Office: ALDACS, MGT, HR

MRN: 18 STATE 31202
Date/DTG: Apr 05, 2018 / 051510Z APR 18
From: SECSTATE WASHDC
Action: SOMALIA, USMISSION *ROUTINE*; ALL DIPLOMATIC AND CONSULAR POSTS
COLLECTIVE *ROUTINE*
E.O.: 13526
TAGS: APER, AMGT
Subject: Non-Federal Funding Travel (31 U.S.C. 1353) Report

1. L/EFD must compile the State Department's semiannual report of travel expenses ("payments") and gifts of travel accepted by the Department from non-federal sources pursuant to 31 U.S.C. 1353.
2. Please collect data for all payments accepted by your bureau under the 31 U.S.C. 1353 authority during the reporting period of October 1, 2017 through March 31, 2018. You must use a Standard Form 326 to forward the data in a single submission no later than May 1, 2018 to L/EFD. We recommend that you use this hyperlinked blank [SF-326](#) form. Be sure to include all information specified on the form for each meeting or similar function where payment in excess of \$250 was accepted for an employee. Please use the section entitled "Reporting Department or Agency" to identify the post and constituent posts forwarding the report. Negative reports are required, so you must submit a report to L/EFD even if your post and constituent posts have no payments to report. Simply sending an e-mail to L/EFD is not sufficient.
3. Please forward your completed SF-326 in **PDF format only**. Forms should be scanned and sent through the Department's global address list (GAL) "[Legal, LEFD1353](#)" or INVTRAVEL@state.gov.
4. Please direct any questions to the Financial Disclosure Division, Ethics Office (L/EFD) by phone (202-663-3770) or e-mail ("[Legal, LEFD1353](#)"). Please do NOT send questions to "Legal-ALL Employees."
5. Section 1353 may be used only to accept payment for attendance at a "meeting or similar function." Other statutory authorities permit acceptance of payments for other official travel, but information concerning the acceptance of payments under non-section 1353 authorities should not be included in your SF-326 report submission. Additional information about section 1353 can be found on the Ethics & Political Activities intranet site: [Gifts-Non-Federal Funding of Official Travel](#)
6. Below are some frequently asked questions that may be helpful when completing your report. We have also included several examples for you to use as a guide.

FAQs About Travel Under 31 U.S.C. 1353

Q: What does a "meeting or similar function" mean for the purpose of accepting invitational travel expenses?

A: A "meeting or similar function" means a conference, seminar, speaking engagement, symposium, training course, or similar event that takes place away from the employee's official duty station. It does not include, for example, a meeting or other event requested to carry out an agency's statutory or regulatory function (e.g., an inspection by Directorate of Defense Trade Controls employees, a treaty negotiation, an investigation or audit, site visit, or over flights of territory). See 41 C.F.R. 304-2.1.

Q: Should a gift of travel expenses accepted by post or bureau for travel unrelated to a "meeting or similar

function” be reported?

A: No. The report only covers gifts authorized under 31 U.S.C. 1353. The payment is still a gift to the Department, but is not reportable under section 1353. Under 2 FAM 964(a)(2), gifts of travel expenses for travel unrelated to a “meeting or similar functions” would be reported to RM/CFO (Attn: Gift Funds Coordinator).

Q: Do we have to report a trip if the total cost of the travel expenses paid by the donor (e.g., airfare, meals, lodging) is less than \$250?

A: No. Only payments that exceed \$250 per event must be reported. Travel expenses paid by non-federal sources totaling less than \$250 must still be approved by designated officials, but do not have to be reported.

Q: If I receive travel expenses as a Foreign Affairs Officer or Diplomatic Security Agent from a Foreign Government to accompany a Foreign Government Dignitary, must the travel expenses be reported?

A: No. This is not a “meeting or similar function” and is not covered by 31 U.S.C. 1353. The payment is, however, still considered an invitational travel gift to the Department and subject to approval in accordance with 2 FAM 962.1-8 and reported under 2 FAM 964(a)(2).

Q: If my spouse is offered free travel from the same source, do I report his or her travel expenses?

A: Yes, if the trip was authorized under 31 U.S.C. 1353 in connection with a “meeting or similar function.” Travel expenses for spouses are reportable only when the spouse is traveling on official travel orders because the travel is in the interest of, and authorized in advance by, the Department. Spousal travel may be determined to be in the interest of the Department if the spouse will:

- Support the mission of the Department or substantively assist the employee in carrying out the employee’s official duties;
- Attend a ceremony where the employee is receiving an award or honorary degree; or
- Participate in substantial programs related to the Department’s programs or operations.

Q: Do we include gifts of travel expenses from U.S. government agencies such as the Department of Defense, Commerce Department, or U.S. Military Academy at West Point?

A: No. These are not non-federal entities and are not reported as gifts. Post or the bureau should receive a fund cite from the federal agency and use it to fund the travel or ask the other federal agency to prepare the travel orders for the Department employee.

Q: When do we report travel expenses paid by a foreign government as a gift from a non-federal source under 31 U.S.C. 1353 rather than as a gift of travel expenses under another authority like the Foreign Gifts and Decorations Act?

A: If the travel expenses are from a foreign government (including elements of the foreign government such as local representatives or public universities), and the purpose of the travel is a “meeting or similar function,” then the travel expenses are reportable under 31 U.S.C. 1353. If the travel is from a foreign government and is not for a meeting or similar function, then the travel may be accepted as a gift under another authority like the Foreign Gifts and Decorations Act.

Q: Should we collect invitational travel information from employees of all agencies at post or from Department employees only?

A: This report only covers Department employees, be it Locally Employed Staff or American Direct Hired

employees. Each individual agency submits a report directly to Office of Government Ethics.

Q: Travel was arranged and paid for by a Non-Government Organization (NGO), but the Department then paid the NGO for those costs as part of its conference cost payment. The travel expenses of the U.S. government participants were more than \$250 per individual for this conference. Does the fact that the Department ultimately paid for those travel expenses as part of its paying for the conference affect the need to report them under this requirement?

A: Yes. In this case, the travel would not be reportable since the money was reimbursed by the USG. Ultimately, the USG paid for it.

EXAMPLES:

EXAMPLE 1: A non-governmental organization offers to pay an employee's travel expenses to a three-day conference on dispute resolution in Africa. The travel will take place away from the employee's official station and will be undertaken as part of the employee's official duties. Because the conference is a "meeting or similar function" as defined in 41 CFR section 304-2.1, the Department may accept "travel, subsistence, and related expenses" from the organization under 31 U.S.C. 1353 if the travel will represent a priority use of the employee's official time and the organization is not disqualified on conflict of interest grounds. The bureau or post must report acceptance of any payment under section 1353 to L/EFD.

EXAMPLE 2: An employee must attend a meeting of foreign officials to discuss how to negotiate a cease fire agreement in response to the outbreak of civil war in an African nation. The Government of South Africa offers to pay the airfare of the Department employee. Although the conference in the previous example was a "meeting or similar function" as defined in 41 CFR 304-2.1, the meeting in this example is not a "meeting or similar function" because attendance at the meeting is not merely in furtherance of the Department's program, but is required to carry out a statutory or regulatory function that is essential to the State Department's mission (e.g., investigations, inspections, audits, site visits, negotiations, or litigation). The bureau or post may consider whether the offered payment may be accepted under an authority other than 31 U.S.C. 1353. For example, the Department can accept gifts of travel expenses from foreign governments for employees traveling on official orders under the authority of section 25 of the Department's Basic Authorities Act, as implemented in 2 FAM 962.1-8.

EXAMPLE 3: A research institution offers to pay an employee's travel expenses to deliver a speech at the institution's headquarters. The Department considers an official speaking engagement to be a "meeting or similar function" as defined in 41 CFR 304-2.1. The Department may accept "travel, subsistence, and related expenses" from the institution under 31 U.S.C. 1353 if the travel will represent a priority use of the employee's official time and the institution is not disqualified on conflict of interest grounds. The bureau or post must report acceptance of any payment under section 1353 to L/EFD. (Different ethics considerations apply if an employee will deliver a speech in his or her personal capacity.)

EXAMPLE 4: An oil company offers to provide transportation on its aircraft to permit an employee to observe drilling operations and to visit an offshore oilrig. The employee will not be attending a conference, seminar, speaking engagement, symposium, training course, or similar event, so the employee will not be attending a "meeting or similar function" as defined in 41 CFR section 304-2.1. The travel would not be reported under 31 U.S.C. 1353. The bureau or post may consider whether the offered payment may be accepted under an authority other than 31 U.S.C. 1353. (If the traveler is a full-time Presidential appointee confirmed by the Senate, prior approval of the use of the corporate aircraft by the employee must be obtained in accordance with 2 FAM 962.1-8(f).)

EXAMPLE 5: An influential local businessman offers to pay the Deputy Chief of Mission's (DCM) travel expenses so that the DCM may accompany him on a tour of archeological sites in a distant corner of the country. The bureau or post should not issue official travel orders (or accept the offered travel expenses under 31 U.S.C. 1353) if participation in the tour does not serve an official purpose. (It is unlikely that the DCM could accept the offer of travel expenses in his or her personal capacity consistent with the gifts rules in Subpart B of 5 C.F.R. Part 2635.)

EXAMPLE 6: The Ambassador is traveling on official orders from the capital city of his or her country of assignment to a city located 500 miles away for the purpose of attending a two-day conference. The Minister of the Interior and his wife also are attending the conference at the distant city. The Minister asked the Ambassador and the Ambassador's spouse to travel on the government aircraft to the distant city. The travel of the Ambassador would be reportable under 31 U.S.C. 1353 using a valuation of what the commercial airfare would be. Whether the travel of the Ambassador's spouse would be reportable depends on whether the spouse is traveling on official orders from the Department. If so, then the spouse's travel, using a commercial airfare rate, also would be reportable under 31 U.S.C. 1353. If the spouse is not traveling on official orders, then the Management Officer at post may approve the acceptance of the gift of travel expenses from the foreign government under another authority.

MINIMIZE CONSIDERED

Signature: Sullivan

Drafted By: L_EMP_FD:Jordan, Angela M
Cleared By: M/EDCS:Meterko, Lisa M
S/CPR/A:Stewart-Coates, Shirley
AF/EX:Dille, Benjamin B
EUR-IO/EX/PMO:Watson, John K
WHA/EX:Peterson, Richard J
NEA-SCA/EX:Smith, Jefferson D
EAP/EX:Blackstone, Kevin
M:Bucha, Jennifer Jones (Jenna)
A/OPE/PD:Moore, Eric N
HR/DGHR:Rodriguez, Catherine
SES\SullivanAL
Approved By: L/EFD:Taylor, Sarah E
Released By: L_EMP_FD:Walker, Denise
XMT: SANAA, AMEMBASSY

Action Post: USEU BRUSSELS
Dissemination Rule: DISP_ALDAC, MGT_ACTION, HR

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United States Department of State

Washington, D.C. 20520

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September 22, 2017

ACTION MEMO FOR DEPUTY EXECUTIVE DIRECTOR JONATHAN R. MENNUTI

FROM: EUR-IO/EX/PMO – Cynthia Richards

SUBJECT: Request to accept donation of invitational travel for Tamir Waser, USNATO

Recommendation

That you approve Tamir Waser's request to accept a donation of invitational travel to Paris on October 13, 2017. (Approve/Disapprove)

JM a/22/17

Background

With offices in seven European capitals, the German Marshall Fund of the United States (GMF) is USNATO's strongest think tank partner. They seek representatives with expertise in NATO matters to talk about NATO-EU cooperation on Counterterrorism; invitees for this workshop include the current Canadian Ambassador and the former Ambassador of the Slovak Republic to NATO. GMF has received numerous grant awards from the US Mission based on their capabilities to design and host public events that highlight U.S. policies and strengthen transatlantic unity.

How does the proffered travel relate to the employee's duties?

As the Political Advisor of the U.S. Mission to NATO, Mr. Waser will be advocating the U.S. viewpoint on the key points of NATO-EU cooperation, as well as building strong contacts with policymakers and other attendees of this event.

Does the proposed travel represent a priority use of the employee's time?

Yes.

Is the employee traveling for the minimum time necessary to carry out USG business?

Yes.

Does the donor have any business pending before the department?

No.

Would acceptance of the travel create real or apparent conflict of interest? (Would a reasonable person believe that the traveling official of the Department would lose objectivity as a result of accepting the travel donation?)

No.

Does your post have funding to pay for this trip?

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Yes.

If your post had sufficient funding to pay for this trip, would you do so?

Yes.

Value of Travel (in USD):

Train Transportation: €136 (round trip commercial)

Local taxis : €100 (2 trips @ €50)

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Approved: EUR-IO/EX – John K. Watson (ok)

Drafted: EUR-IO/EX/PMO – Cynthia Richards, ext. 75029, home/cell: (571) 340-2157

Cleared: EUR/RPM – AGjertson (ok)

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United States Department of State

Washington, D.C. 20520

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October 13, 2017

ACTION MEMO FOR DEPUTY EXECUTIVE DIRECTOR JONATHAN R. MENNUTI

FROM: EUR-IO/EX/PMO – Cynthia Richards

SUBJECT: Request to accept donation of invitational travel for Ambassador Kay Bailey Hutchison, USNATO

Recommendation

That you approve Ambassador Hutchison's request to accept a donation of invitational travel to Pristina, Kosovo, on October 27, 2017. (Approve/Disapprove by 10/16/2017)

MR 10/16/17

Background

The North Atlantic Council will travel to Kosovo to get an update on KFOR and to meet with Senior Government Officials. Ambassador Hutchison will participate in meetings and general travel with other members of the North Atlantic Council. The Slovenian Government will provide the plane.

How does the proffered travel relate to the employee's duties?

As the U.S. representative to NATO, making and maintaining strong contacts with members of the North Atlantic Council (NAC). The NAC is the principal political decision-making body of NATO.

Does the proposed travel represent a priority use of the employee's time?

Yes.

Is the employee traveling for the minimum time necessary to carry out USG business?

Yes.

Does the donor have any business pending before the department?

No.

Would acceptance of the travel create real or apparent conflict of interest? (Would a reasonable person believe that the traveling official of the Department would lose objectivity as a result of accepting the travel donation?)

No.

Does your post have funding to pay for this trip?

Yes.

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If your post had sufficient funding to pay for this trip, would you do so?

Yes.

Value of Travel (in USD):

Air Transportation: \$671.00 (r/t commercial)

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Approved: EUR-IO/EX – John K. Watson (ok)

Drafted: EUR-IO/EX/PMO – Cynthia Richards, ext. 75029, home/cell: (571) 340-2157

Cleared: EUR/RPM – AGjertson (ok)

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United States Department of State

Washington, D.C. 20520

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November 8, 2017

ACTION MEMO FOR DEPUTY EXECUTIVE DIRECTOR JONATHAN MENNUTI

FROM: EUR-IO/EX/PMO – Cynthia Richards

SUBJECT: Request to accept donation of invitational travel for Ambassador Kay Bailey Hutchison

Recommendation

That you approve Ambassador Hutchison's request to accept a donation of invitational travel to Halifax, Nova Scotia on November 17, 2017. She will participate in meetings during the Halifax International Security Forum. (Approve/Disapprove)

JM 11/8/17

Background

The Halifax International Security Forum brings together individuals on the ground who face consequential local threats, writers who challenge and influence the world's thinking on security, and decision-makers who make the tough choices. The community that meets at Halifax represents more than 91 countries, yet is limited to 300 participants. The Halifax International Security Forum is widely acknowledged by the international community as an essential annual meeting place. The Halifax International Security Forum will provide air transportation.

How does the proffered travel relate to the employee's duties?

As the U.S. representative to NATO, making and maintaining strong contacts with members of the international community on matters of security is vital. The Forum continues to advance greater strategic cooperation among the world's democracies in order to address the most pressing international security challenges.

Does the proposed travel represent a priority use of the employee's time?

Yes.

Is the employee traveling for the minimum time necessary to carry out USG business?

Yes.

Does the donor have any business pending before the department?

No.

Would acceptance of the travel create real or apparent conflict of interest? (Would a reasonable person believe that the traveling official of the Department would lose objectivity as a result of accepting the travel donation?)

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No.

Does your post have funding to pay for this trip?

Yes.

If your post had sufficient funding to pay for this trip, would you do so?

Yes.

Value of Travel (in USD):

Air Transportation: \$500.00 (one way commercial)

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Approved: EUR-IO/EX – Jonathan Mennuti

Drafted: EUR-IO/EX/PMO – Cynthia Richards, ext 75029, cell: 571-340-2157

Cleared: EUR/RPM – AGjertson (ok)
EUR-IO/EX – DPedroso (ok)

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United States Department of State

Washington, D.C. 20520

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April 3, 2018

ACTION MEMO FOR THE DEPUTY EXECUTIVE DIRECTOR (JONATHAN MENNUTI/BRIAN WILSON)

FROM: EUR-IO/EX/PMO – Cynthia Richards

SUBJECT: Request to Accept Donation of Invitational Travel for Ambassador Kay Bailey Hutchison, USNATO

Recommendation

That you approve Ambassador Hutchison's request to accept a donation of invitational travel to Ft. Worth, Texas, on April 5, 2018. (Approve/Disapprove)

On 4/3/18

Background

Ambassador Hutchison will travel to Ft. Worth, Texas as part of a larger trip away from post. In Dallas, Texas, she will accompany NATO Secretary General Jens Stoltenberg on his official visit to tour the F-35 production facility operated by Lockheed Martin. The Lockheed Martin team plan to conclude the visit with dinner in a restaurant in Ft. Worth; both the Secretary General and the Ambassador plan to join the dinner. Ethics attorney advisers suggested that Ambassador Hutchison could accept this meal through invitational travel parameters.

How does the proffered travel relate to the employee's duties? In her official capacity as U.S. Permanent Representative to NATO, the Ambassador has advocated on behalf of U.S. defense contractors in conjunction with Allies' defense purchases. The NATO Allies have dozens of F-35s on order.

Does the proposed travel represent a priority use of the employee's time? Yes.

Is the employee traveling for the minimum time necessary to carry out USG business?
Yes.

Does the donor have any business pending before the department?
No.

Would acceptance of the travel create real or apparent conflict of interest? (Would a reasonable person believe that the traveling official of the Department would lose objectivity as a result of accepting the travel donation?)
No.

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Does your post have funding to pay for this trip?

Yes.

If your post had sufficient funding to pay for this trip, would you do so?

Yes.

Value of Travel (in USD): Approximately \$100 for local transportation and meal.

Approved: EUR-IO/EX/SPMO – Deborah Larson (ok)

Drafted: EUR-IO/EX/PMO – Cynthia Richards, X75029, cell: 571-340-2157

Cleared: EUR/RPM – Angela Gjertson (ok)

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United States Department of State

Washington, D.C. 20520

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April 12, 2018

ACTION MEMO FOR THE DEPUTY EXECUTIVE DIRECTOR JONATHAN MENNUTI

FROM: EUR-IO/EX/PMO – Cynthia Richards

SUBJECT: Request to accept donation of invitational travel for Christopher McKinney, Brussels

Recommendation

That you approve Christopher McKinney's request to accept a donation of invitational travel to Speyer, Germany on April 9, 2018. (Approve/Disapprove by 04/16/2018)

Background

University of Speyer invited Trade Counselor Katherine Kalutkiewicz (Christopher McKinney went in her place) to lecture their students, faculty and guests on "U.S. – EU Trade Relations and U.S. Law and Policy on Negotiation, Conclusion, and Implementation of Free Trade Agreements" in Speyer, Germany, on Monday, April 9, 2018.

Please note that Mr. McKinney was unaware that he could not accept this without prior Bureau approval. Post Management has made him aware that his travel Apr 9 should have been approved in advance. It will not happen again.

How does the proffered travel relate to the employee's duties?

Economic Officer Christopher McKinney represented the U.S. perspective on international issues relevant to his duties as the U.S. Mission to the European Union (USEU) Trade Officer.

Does the proposed travel represent a priority use of the employee's time?

Yes. Economic Officer Christopher McKinney lectured their students, faculty and guests on "U.S. – EU Trade Relations and U.S. Law and Policy on Negotiation, Conclusion, and Implementation of Free Trade Agreements" as instructed by the Chargé d'Affaires a.i.

Is the employee traveling for the minimum time necessary to carry out USG business?

Yes.

Does the donor have any business pending before the department?

No.

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Would acceptance of the travel create real or apparent conflict of interest? (Would a reasonable person believe that the traveling official of the Department would lose objectivity as a result of accepting the travel donation?)

No.

Does your post have funding to pay for this trip?

Yes. Should this request to accept invitational travel be denied post has funds allocated for this cost. Post will fund taxi transport and M&IE costs.

If your post had sufficient funding to pay for this trip, would you do so?

Yes.

Value of Travel (in USD):

Air fare:	\$184
Total:	\$184

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Approved: EUR-IO/EX/SPMO – JWatson (ok)

Drafted: EUR-IO/EX/PMO – Cynthia Richards, X 75029, cell: 571-340-2157

Cleared: EUR/ERA – MKayser (ok)
JAS MGT – MMullins (ok)

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