



United States
Office of Government Ethics
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LEGAL ADVISORY

TO: Designated Agency Ethics Officials

FROM: David J. Apol
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SUBJECT: Increased Gifts and Travel Reimbursements Reporting Thresholds for Financial Disclosure Reports and Nonsoror 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 revise the executive branch financial disclosure regulation at 5 C.F.R. §§ 2634.304 and 2634.907(g) to reflect the retroactive increase, applicable as of January 1, 2014, of the thresholds for reporting of gifts, reimbursements and travel expenses for both the public and confidential report systems. *See* 79 Federal Register 28605-28606 (May 19, 2014). The new aggregation threshold for the reporting of gifts and reimbursements received from any one source on financial disclosure reports is “more than \$375”; items worth “\$150 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 increase earlier this month by the General Services Administration of “minimal value” for purposes of the Foreign Gifts and Decorations Act to “\$375 or less” for the three-year period 2014-2016. *See* 79 Federal Register 18477 (April 2, 2014).

The calendar year 2013 Public and Confidential Financial Disclosure Reports (OGE Form 278s and OGE Form 450s) 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 2014. However, any newly filed termination OGE Form 278 public reports will be affected for the portion of 2014 covered. However, it is not necessary to contact termination filers regarding such reports already filed this year.

¹ The prior reporting amounts were more than \$350 for the aggregation threshold and \$140 or less for excepted items.

Departments and agencies should promptly 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 thereof in the forms section of its website (www.oge.gov).

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 \$350 to \$375 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 May 19, 2014, when the amendatory rulemaking was published in the Federal Register.