

4 FAH-3 H-380 GIFTS AND TRUST FUNDS

(TL:FMP-11; 10-01-1999)

4 FAH-3 H-381 SCOPE

(TL:FMP-11; 10-01-1999)

Trust funds are receipts that are held in trust for use in carrying out specific purposes and programs in accordance with agreements or statutes. Pursuant to specific laws, the Department is authorized to accept certain funds, in addition to those appropriated by the Congress, to cover expenses of the Department's programs. Various trust fund accounts have been authorized by the Department of the Treasury for use by the Department in accounting for these funds.

4 FAH-3 H-382 CLASSIFICATION OF RECEIPTS

4 FAH-3 H-382.1 Available Receipts (A/R)

(TL:FMP-11; 10-01-1999)

Available Receipts are receipts which under law or trust agreements are immediately available in their entirety as appropriations to a single agency for expenditure without further action by the Congress. In order to assure that collections of available receipts are properly recorded by the Department of the Treasury in receipt accounts and not treated as repayments to appropriations, the accounting documentation must clearly identify the available amounts that are proper for recording in both the receipt and expenditure accounts. This is done on all forms such as certificates of deposit, SF-1081, SF-1096, SF-1097 by showing the letters "A/R" immediately following the appropriation symbol in each case where an available receipt account is affected.

4 FAH-3 H-382.2 Unavailable Receipts

(TL:FMP-11; 10-01-1999)

Unavailable Receipts are receipts which at the time of collection and deposit are not appropriated for use, or are not immediately available for expenditure because:

(1) further action by the Congress is required or Congressional limitation has been established as to the amount available for expenditure; and

(2) amounts credited to receipt accounts are later to be cleared in whole or in part to other receipt accounts before appropriation warrant action is taken.

4 FAH-3 H-383 LIST OF TRUST FUND ACCOUNTS, SYMBOLS, AND TITLES USED BY THE AGENCY

(TL:FMP-11; 10-01-1999)

67X8167 A/R Trust Funds

67X8167.1 A/R Proprietary Receipts

67X8167.2 A/R Contributions Educational and Cultural Exchange

67X8167.4 A/R Interest, Educational and Cultural Exchange

The above trust accounts were assigned to the Agency by the Department of Treasury for recording the receipt and disbursement of funds applicable thereto. Collections are treated as "Available Receipts" (par. 352.1 above); therefore, it is important to always use the suffix "A/R" after the trust account symbol shown on accounting documents submitted to the disbursing officer. The Department of the Treasury processes receipt and disbursement transactions differently from those which do not show the suffix "A/R".

4 FAH-3 H-384 AUTHORITY FOR AND PURPOSE OF FUNDS CREDITED TO ACCOUNTS 67X8167.1 A/R, 67X8167.2 A/R and 67X8167.4 A/R

4 FAH-3 H-384.1 Authority

(TL:FMP-11; 10-01-1999)

a. In accordance with the authority of Section 105(f) of the Mutual Educational and Cultural Exchange Act of 1961, as amended (Pub. L. 87-256; 22 U.S.C. 2455 [f]), the Department accepts and utilizes donations and contributions from international organizations, and private individuals, firms, associations, and other groups to accomplish the purposes of the Act. Under the authority of Section 2201 of the Foreign Service Act of 1980, as amended, (22 U.S.C. 2697), the Department may accept unconditional gifts for the benefit of the Department including the Foreign Service or for the carrying out of any of its functions.

b. The United States Information and Educational Exchange Act of 1948, as amended (Pub. L. 80-402), and Reorganization Plan No. 2 of 1977, authorize the Department to accept funds from any other government for expenses of any part of the Department's programs undertaken pursuant to this Act.

4 FAH-3 H-384.2 Purpose of Funds Credited to Account 67X8167.1 A/R

(TL:FMP-11; 10-01-1999)

a. Donations and contributions received to help defray costs of international fairs and exhibitions abroad are credited to this account. Funds are allotted by FMP. Also credited to this account are receipts subsequently allotted by FMP to various elements of the Department participating in program activities authorized by Pub. L. 80-402, as amended. These funds accrue primarily as reparations for damage to or destruction of Department property abroad and are available for repair, renovation or relocation expenses of Department facilities (1) in the country where damages were incurred or (2) in the same geographic area. Finally, contributions to provide film prints to foreign governments, and to send experts abroad to perform requested services are credited to this account.

b. All funds received for the above purposes are credited under account symbol 67X8167.1 A/R, Proprietary Receipts.

4 FAH-3 H-384.3 Purpose of Funds Credited to Account 67X8167.2 A/R

(TL:FMP-11; 10-01-1999)

a. Donations and contributions received under Section 105(f) of Pub. L. 87-256 for purposes of that Act, other than for participation in international fairs and exhibits (see paragraph 384.2 above), are credited to this account. Contributions are received for various programs, including Exchange programs, and for assistance to binational centers and organizations abroad. Net proceeds for cultural presentations authorized by Pub. L. 87-256, Section 102(a)(2)(ii) are also credited to this account. In addition, unconditional monetary gifts for the benefit of the Department in carrying out any of its functions are credited to this account. For example, nongovernmental organizations may make unconditional gifts for expenses incurred in connection with sponsored Department speaking engagements or other authorized activities of the Department. Unconditional gifts may be accepted for any purpose for which appropriated funds may be used.

b. All funds received for the above purposes are allotted to the organizational element responsible for the program or activity involved under account symbol 67X8167.2 A/R and title as shown in paragraph H-383 above.

4 FAH-3 H-384.4 Purpose of Funds Credited to Account 67X167.4 A/R

(TL:FMP-11; 10-01-1999)

This account is maintained for interest on security investments (see paragraph. H-388.4 below).

4 FAH-3 H-385 DEPARTMENT OF THE TREASURY TRUST FUNDS MADE AVAILABLE TO THE AGENCY

4 FAH-3 H-385.1 Authority

(TL:FMP-11; 10-01-1999)

Pub. L. 83-357 authorizes the acceptance of conditional gifts to further the defense efforts of the United States. The Act authorizes the Secretary of the Treasury to accept or reject on behalf of the United States any gift of money or other intangible personal property made on condition that it be used for a particular defense purpose.

4 FAH-3 H-385.2 Gifts Received by the Agency

(TL:FMP-11; 10-01-1999)

Gifts from corporations, other organizations, and individuals for the furtherance of Agency programs satisfy the condition of accepting gifts to further the defense efforts of the United States and are forwarded by the FMP, for credit to Treasury Trust Fund Account 20X8886 with a request that they be transferred to the Department's Salaries and Expenses appropriation. All gifts to the Department for a credit under this law are routed through the Office of the Legal Advisor (L) for acknowledgment. A copy of the letter of acknowledgment accompanies the check to the Department of the Treasury. These funds are available for allotment by FMP after notification by the Department of the Treasury that the transfer to the Department's appropriation has been made.

4 FAH-3 H-386 USE OF GIFTS RECEIVED BY THE DEPARTMENT

4 FAH-3 H-386.1 Use of Gifts

(TL:FMP-11; 10-01-1999)

a. For the purpose as described by the benefactor in furtherance of the Agency's educational and cultural programs or for the benefit of the Agency (see paragraph H-384 above and H-387.1 below).

b. Restrictions:

(1) The Comptroller General has stated that Federal agencies are authorized to expend the donated funds for the purposes stipulated in the gifts themselves, even though the agencies' organic statutes which enable them to accept gifts do not authorize the activities specified in the gifts. In the event an unusual restriction is specified in a gift to this Agency, however, the terms of the gift should be reviewed by the Office of the Legal Advisor (L) before it is accepted.

(2) Contributions from private citizens for general entertainment at U. S. embassies or other Government facilities are prohibited. Private funds, goods or services may be accepted for specific, approved projects, clearly deemed to be in the public interest and when no benefits can accrue to the donor.

Examples include food and refreshments for members of the foreign press corps at U. S.-held summit meetings or U. S. pavilions at international exhibitions; or contributions to Agency-endorsed or sponsored international youth exchanges.

4 FAH-3 H-386.2 Exclusion

(TL:FMP-11; 10-01-1999)

These regulations do not apply to:

(1) Co-sponsored programs in foreign countries where no donated funds or property come into the possession or actual control of Embassy personnel; or

(2) Gifts to the Department to cover travel expenses of employees in travel status attending meetings and similar events. (see paragraph H-387).

4 FAH-3 H-386.3 Personal Gifts

(TL:FMP-11; 10-01-1999)

For guidance on authority to accept personal gifts of limited value, see *Standards Of Ethical Conduct For Employees of the Executive Branch*.

4 FAH-3 H-387 ADMINISTRATIVE AND ACCOUNTING PROCEDURES

4 FAH-3 H-387.1 Acceptance of Donated Gifts

(TL:FMP-11; 10-01-1999)

Agency officials having authority to accept gifts should encourage donors to describe such gifts as "unconditional", although they may request that the donation be used for a specific purpose or event. This will maximize flexibility should a balance remain upon completion of the intended use. Other individuals should provide information and seek advice from the most appropriate official who is authorized to accept gifts.

(1) Donated Gifts in Kind—Individuals with the authority to accept gifts should immediately record the acceptance of gifts in kind (see paragraph H-386.3 above) using 4 FAH-3 Exhibit H-387.1(1) format.. At the end of each fiscal quarter, submit completed report through your executive office FMP. FMP will provide an annual report giving the total valuation of gifts received, accepted and utilized by each element of the Department for program, project or administrative purposes.

(2) Donated Monetary Gifts—Donor's check must be made payable to "United States Department of State". Check is to be accompanied by a donor's statement describing the purpose of the gift (see paragraph H-387.1 above). Correspondence received from the donor must be provided to FMP with the check (see par. H-387.3 below).

(3) Acceptance Letter—It is the responsibility of the individual with the authority to accept gifts to acknowledge receipt and acceptance in a written response (4 FAH-3 H-387 Exhibit H-387.1(3)). A copy of this response is to be provided to FMP.

4 FAH-3 H-387.2 Valuation

(TL:FMP-11; 10-01-1999)

a. Valuations generally should be consistent with the amount declared by the donor and verified. Valuations are subject to audit by the Department's Office of the Inspector General (OIG) and by the General Accounting Office (GAO). Donors' gifts may be subject to audit by the

Internal Revenue Service.

b. Individual U.S. citizens and corporations may make federal tax deductible charitable contributions to the Department subject to the strictures in section 170 of the Internal Revenue Code. Contributions made to the Department to be used for the continued support and growth of a Fulbright Commission may also be deductible by donors in the manner and to the extent provided by Section 170 of the Internal Revenue Code. Such contributions must be made payable directly to the Department, with a request that it be used to further stated Department purposes.

c. Contributors should seek advice as to the precise tax treatment of any such gifts to the Department from their own tax counsel.

4 FAH-3 H-387.3 Deposits to Trust Fund Appropriations

(TL:FMP-11; 10-01-1999)

a. Domestic

(1) The donor's check and correspondence, as well as the Department's acceptance letter, are forwarded promptly by FMP, for action. FMP will not process allotment increases until all documentation is received. If clarification is needed as to the intent of the donation, FMP will consult with L before depositing the check in a specific account.

(2) FMP promptly forwards the check to the cashier for deposit into Appropriation 67X8167/AR and retains a record copy.

b. Abroad

(1) Upon approval of gift acceptance authority from Washington, funds are deposited with the Embassy/Consulate Budget and Fiscal (B&F) Officer into Appropriation 67X8167/AR.

(2) Post cables the Department that a deposit has been made using the following format:

Subject: Deposit of Trust Fund Contributions—Appropriation 67X8167/AR.

Action: FMP, Info Appropriate Bureau

(a) Total amount of deposit in U.S. dollars;

(b) Name of Donor and a statement describing the purpose of the gift. A copy of the donor's correspondence is to be forwarded to FMP as a record copy.

c. Recording Deposit by FMP—To facilitate identification of Trust Fund contributions before deposits are entered into the accounting system, FMP will provide data on all collections for comparison against its records. Discrepancies will be reported for resolution.

4 FAH-3 H-387.4 Disposition of Deposited Funds

(TL:FMP-11; 10-01-1999)

FMP, in coordination with project managers, determines which of the contributions should be allotted, and which can be invested.

(1) Allotment of Funds—FMP will transfer funds to the specified allotment upon receipt of required documentation. Within each allotment individual function codes, identifying the project or event, will be established. Allottees receive copies of the Advice of Allotment (IA -150) through the same distribution process as appropriated funds. FMP will inform Post by cable of disposition of funds.

(2) Investment of Funds—Some projects do not require an immediate expenditure of funds. In those instances, funds are invested rather than allotted immediately. FMP will consult regularly with trust fund project managers to determine the feasibility and length of time funds can be invested with the U.S. Treasury. In some cases the investment period will overlap fiscal years. In such cases FMP will accrue interest income as appropriate. Since investments can only be made in increments of \$5,000, FMP will pool various projects in order to maximize their earning potential.

4 FAH-3 H-387.5 Responsibility of Allottees

(TL:FMP-11; 10-01-1999)

Allottees are officials of the Department who have received from FMP written authorization (generally, Form IA-150, Advice of Allotment) to incur obligations within a specific amount pursuant to an appropriation or other statutory provision. These responsibilities include but are not limited to:

(1) Obligation of funds in accordance with the terms and conditions of the gift, if any.

(2) Ensuring that obligations do not exceed the cumulative total and limitation amounts authorized by allotment advices through the current quarter.

(3) Ensuring that all obligations entered in the accounting system are true obligations supported by prescribed documents and that the obligations are valid charges against the fiscal year sought to be charged.

(4) Reviewing unliquidated obligations periodically, but not less often than quarterly, to determine that each obligation:

(a) Represents items actually required;

(b) Is technically correct;

(c) Is stated in the proper amount; and

(d) Represents a bona fide need of the fiscal year to which charged.

(5) Requesting FMP to invest funds donated for long-term projects that will not require an immediate expenditure.

(6) Ensuring that proper procurement procedures are followed for transactions that result in obligations against the allottee's funds. Transactions using trust funds or other nonappropriated funds shall be made using the Federal Acquisition Regulation (FAR) to the maximum extent practicable, as determined by A/OPE. Such transactions shall include the statement: "This transaction is made using non-appropriated funds."

4 FAH-3 H-387.6 Fund Reconciliation

(TL:FMP-11; 10-01-1999)

FMP will be responsible for insuring that the cash balance between the Department and the Department of Treasury is in agreement. This will require a reconciliation between the balances shown on the Department's general ledger and Treasury's TFS Form 6653, Undisbursed Appropriation Account Ledger. FMP will perform this reconciliation each month and research all differences so that they can be corrected the following month.

4 FAH-3 H-387.7 Audit of Funds

(TL:FMP-11; 10-01-1999)

Trust fund donations (cash, property, or other gifts) and the interest income earned is subject to the same examination and audit as provided for appropriations made by Congress (22 U.S.C. 2697).

4 FAH-3 H-388 GENERAL

(TL:FMP-11; 10-01-1999)

31 U.S.C. 1353 provides authority for agencies to accept payments from non-Federal sources in connection with the funding of certain official travel. Payments can only be accepted from non-Federal sources by the Department if they are for "travel, subsistence, and related expenses" as outlined in this chapter. The Act does not permit acceptance of payments unless the employee is in travel status (i.e. away from post.) However, if such payments for expenses incurred while the employee is not on travel status are otherwise appropriate, they may be accepted by a Department

official authorized to accept gifts under Sec. 105(f) of Fulbright-Hays and the State Department Basic Authorities Act (22 U.S.C. 2697.

4 FAH-3 H-388.1 Authority

(TL:FMP-11; 10-01-1999)

- a. 31 U.S.C. §1353;
- b. 5 U.S.C. 5701-5709;
- c. 41 C.F.R. Part 301-1 and Chapter 304

4 FAH-3 H-388.2 Purpose

(TL:FMP-11; 10-01-1999)

a. This section sets forth the procedures for the acceptance and use of payments for travel, subsistence, and related expenses from non-Federal sources in connection with the official attendance during travel of employees at certain meetings and similar functions. This section also provides authority for the Department to receive payments in connection with the attendance of an accompanying spouse in some circumstances.

b. This section does not authorize personal acceptance of such payments by an employee or accompanying spouse of an employee.

c. This section does not authorize solicitation by an employee or the Department from a non-Federal source for the covered travel. Employees may not mention the possibility of a gift of travel expenses before receiving an invitation to a meeting sponsored by a non-Federal source.

4 FAH-3 H-388.3 Definitions

(TL:FMP-11; 10-01-1999)

a. **Conflicting non-Federal source**—means any person who, or entity other than the Government of the United States which, has interests that may be substantially affected by the performance or nonperformance of the employee's duties.

b. **Employee**—means an appointed officer or employee of the Department. The definition excludes independent contractors who may be hired pursuant to 5 U.S.C. 3109.

c. **Meeting or similar function**—means a conference, seminar, speaking engagement, training course, or similar event that takes place away from the employee's official duty station, and is sponsored or co-sponsored by a non-Federal source.

d. **Non-Federal source**—means any person or entity other than the Government of the United States and includes any individual, private or commercial entity, nonprofit organization or association, state, local, or foreign government, or international or multinational organization.

e. **Payment**—means funds paid for travel, subsistence, and related expenses by check or similar instrument to the Department, or payment in kind.

f. **Payment in kind**—means goods services, or other benefits provided by a non-Federal source for travel, subsistence, and related expenses in lieu of funds paid to the Department by check or similar instrument for the same purpose.

g. **Travel, subsistence, and related expenses**—means the same types of expenses payable under 41 C.F.R. Chapter 301 or analogous provisions of 6 FAM 100, or volume 1 of the Joint Federal Travel Regulation (FTR).

h. **Travel Regulations (FTR)**—includes expenses such as conference or training fees as well as other benefits which cannot be paid under the applicable travel regulation and which are provided in kind and made available by the sponsor to all attendees incident to and for use at the meeting or similar function.

4 FAH-3 H-388.4 Delegation Of Authority

(TL:FMP-11; 10-01-1999)

Authority has been delegated to the Department to accept payments in accordance with the authorities and procedures of this section. This authority may not be re-delegated. Any gift for the travel of a person to whom authority has been delegated must be approved at the next higher level.

4 FAH-3 H-388.5 Conditions For Acceptance of Payments For Employee Travel

(TL:FMP-11; 10-01-1999)

The authorized agency official must make the following three determinations before payment can be accepted for an employee's travel under this authority:

(1) That payment is for an employee's attendance at a "meeting or similar function" (as defined in H-388.3(c) of this section) that takes place away from the employee's official station;

(2) That payment is for travel which relates to the employee's official duties, by examining both the nature of the meeting or similar function and the official duties of the employee; and

(3) That payment is from a non-Federal source that is not disqualified on conflict of interest grounds or from a conflicting non-federal source that has been approved under this section.

4 FAH-3 H-388.6 Payment From a Conflicting Source

(TL:FMP-11; 10-01-1999)

a. Payment may be accepted from a conflicting non-Federal source if the conditions of acceptance are met (see H-388.5 of this section) and the authorized agency official determines that the acceptance of the payment would not cause a reasonable person with knowledge of the facts to question the integrity of agency programs. In determining whether to accept payment, the authorized agency official shall consider all relevant factors, including:

- (1) the identity of the non-Federal source;
- (2) the nature and sensitivity of any pending matter affecting the interests of the conflicting non-Federal source;
- (3) the significance of the employee's role in any such matter;
- (4) the purpose of the meeting or similar function;
- (5) the identity of other expected participants; and,
- (6) the value and character of the travel benefits offered by the conflicting non-Federal source.

b. Agencies which receive authorization to issue J-1 visas or an organization which has such agencies as members shall not be deemed "a conflicting source" for purposes of the Department's acceptance of payments for Department personnel to attend meetings or conferences (as defined in this section) of such agencies or organizations.

4 FAH-3 H-388.7 Payment From A Non-Federal Source Not Sponsoring the Event

(TL:FMP-11; 10-01-1999)

In addition to acceptance of payment from a non-Federal source that is sponsoring the event, payments may also be accepted from a non-Federal source that does not have an interest in the subject matter of the meeting or similar function so long as the payment is provided in kind and consists of the types of services the non-Federal source generally provides, such as,

air passenger transportation services provided by a commercial airline. Payments can be accepted from more than one non-Federal source in connection with a single event.

4 FAH-3 H-388.8 Spousal Travel

(TL:FMP-11; 10-01-1999)

The Department may accept payment under this part from a non-Federal source for an accompanying spouse when it is determined by the authorized agency official that the spouse's presence at the meeting or similar function is in the interest of the Agency. A spouse's presence may be determined to be in the interest of the Agency if the spouse will:

(1) support the mission of the Agency or substantially assist the employee in carrying out his/her official duties;

(2) attend a ceremony at which the employee will receive an award or honorary degree; or

(3) participate in substantive programs related to the Agency's programs or operations.

The accompanying spouse shall not be deemed a Government employee for any purpose other than eligibility for payment of travel, subsistence, and related expenses. Payment can not be accepted for a spouse's travel unless the spouse is traveling to the same event as the employee.

4 FAH-3 H-388.9 Payment Guidelines

(TL:FMP-11; 10-01-1999)

a. Payment other than in kind—Authorized payments from a non-Federal source for an employee and/or accompanying spouse, other than payments in kind, shall be by check or similar instrument made payable to the Department of State and should be received by the employee or accompanying spouse on behalf of the Department. Neither the employee nor the spouse is authorized to receive cash, a check, or a similar instrument made payable to the traveler.

All checks or similar instruments will be given immediately to the appropriate Department official who has been authorized to accept such payment for approval and prompt forwarding to FMP. FMP will deposit the checks to the U.S. Treasury Department for credit to the Department's Salaries and Expenses appropriation or other appropriate account pursuant to the authority in 31 U.S.C. 1353(a). These deposits will be credited at the appropriation level and will be allotted subsequently to the elements incurring the travel costs. When the acceptance of payment has been approved in advance, the agency may accept payment in excess of applicable limitations (rates established in the FTR for travel in the

continental U.S. and by the Secretary of Defense for travel in other nonforeign areas) provided that the accommodation or other benefit furnished is comparable in value to that offered to or purchased by other similarly situated individuals attending the meeting. When the applicable limitation will be exceeded, payment should be required in advance of the travel.

b. Payment in kind—Payment in kind from a non-Federal source may be accepted in excess of the limitations under the applicable travel regulations provided that the accommodation or other benefit is comparable in value to that offered to, or purchased by, other similarly situated individuals attending the meeting or similar function.

4 FAH-3 H-388.10 Travel Authorization

(TL:FMP-11; 10-01-1999)

The employee and the spouse must travel pursuant to official State Department travel authorizations in order to use payments covered by this section.

4FAH-3 H-388.11 Reimbursement To Employee or Accompanying Spouse

(TL:FMP-11; 10-01-1999)

a. Each employee or spouse on whose behalf a payment has been accepted under this chapter must file a travel claim on an authorized reimbursement form. The employee or spouse will be reimbursed for expenditures in accordance with the Federal Travel Regulation or analogous provisions of the FAM and Joint Federal Travel Regulations.

b. For purposes of filing a travel reimbursement claim, payments in kind for otherwise reimbursable expenses (such as transportation or lodging) are treated as if furnished by the Government.

4 FAH-3 H-388.12 Reporting

(TL:FMP-11; 10-01-1999)

a. Semi-annual reports of payments, including payments in kind, of more than \$250 accepted under this chapter must be submitted to the Director of the Office of Government Ethics on May 31 of each year with respect to payments in the preceding period beginning on October 1 and ending on March 31; and November 30 of each year for payments received beginning on April 1 and ending September 30.

b. Each authorized official shall inform the Management of any acceptance of each payment under this section from a non-federal source which totals more than \$250 per event.

c. The report from the authorized agency official should contain the following information:

(1) each event for which payment of more than \$250 is accepted, including the event's sponsor, location, date, nature;

(2) the name of each employee and spouse (if applicable) for which such payment was accepted, including the employee's position and dates of travel;

(3) the identity of the non-Federal source from which payment was accepted;

(4) an itemization of the benefits accepted, and a description of the type of benefit, the value, and whether it was provided by check or in-kind.

(5) the time and place of travel; and

(6) the amount and method of the payment and the nature of the expenses.

FMP shall have the responsibility of preparing the report to the Director of the Office of Government Ethics.

4 FAH-3 H-387 Exhibit H-387.1(1)
RECEIPT OF GIFTS IN KIND

UNITED STATES DEPARTMENT OF STATE

Receipt of Gifts in Kind

(TL:FMP-11; 10-01-1999)

1. TYPE OF GIFT RECEIVED:

- A. Property _____ (Description)

- B. Securities _____

- C. Service _____

2. NAME OF DONOR: _____

3. DATE GIFT: A. Received _____ - _____ - _____

Month Day Year

B. Acknowledged _____ - _____ - _____

Month Day Year

C. Used or Expended _____ - _____ - _____

Month Day Year

4. PURPOSE OF GIFT: _____

5. AUTHORITY FOR RECEIPT OF GIFT:

A. _____ State Department Basic Authorities Act (22 U.S.C. 2697)

B. _____ Fulbright-Hays Act (Sec. 105f)

(B check with L before acceptance)

C. _____ Other _____

6. DONOR RESTRICTIONS ON USE OF GIFTS: _____

4 FAH-3 H-387 EXHIBIT H-387.1(3)
SAMPLE ACCEPTANCE LETTER FOR SPECIFIC
PURPOSE GIFTS

(TL:FMP-11; 10-01-1999)

Dear Mr./Ms. _____:

On behalf of Mr./Ms. _____, I am pleased to accept your gift to the Department of \$ _____. In accordance with your expressed hope, the Department expects to use the gift in support of (specific) _____. We propose to treat any residual amount remaining in the account after the project has been completed as an unconditional gift which will be used to support a program of a similar nature which falls within the scope of the Department's mission.

Pursuant to applicable federal law, any gift accepted thereunder by the Department shall be considered a gift to and for the use of the United States for federal income, gift and estate taxes (22 U.S.C. 2697). Your gift may be exempt from gift taxes (26 U.S.C 2522[a]) and may be a deductible contribution for income tax purposes (26 U.S.C. 170[c]).

We suggest that you discuss with your tax counselors the valuation of the gift and the procedures to be followed in claiming any benefit under the statutes to which I have referred.

We are deeply grateful for your support of the Department's mission.

Sincerely,

Name and Title of Official Exercising
authority pursuant to a delegation
order from the Department