

# ***Sponsor-Paid Travel***

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*feat. guest presenter*

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*Reducing Risk. Unleashing Opportunity.*



# Sponsored Travel is a “Gift”

Invitations from non-federal sources (“sponsors”) are often accompanied by offers to pay for the employee’s expenses, which may include airfare, lodging, meals, and other fees.

- › Payment for such expenses is considered a “gift” under the ethics rules
- › Must comply with all regular FTR regulations, except Fly America Act
- › May be accepted as gift to the Bank
- › Federal agencies may only accept payments from non-federal sources pursuant to an appropriate authority
- › Ethics official must make a conflict of interest analysis and approve the acceptance of an offer from a non-Federal source

# Two Sponsor-Paid Travel Authorities



## › Transaction-Related

- › Accepted pursuant to EXIM Bank-specific regulations, written offer of payment by the non-Federal sponsor, 12 C.F.R. Part 412
- › Meeting or similar function relating to the employee's official duties
- › EXIM interest in your attendance must outweigh any appearance concerns with acceptance of the payment
- › Business class exceptions– “14 hour rule” or medical necessity
- › All other FTR rules apply

# Two Sponsor-Paid Travel Authorities



## › 31 U.S.C. § 1353

- › Gov't-wide authority
- › Gift is to the Bank, *not the employee*
- › Used for conferences, seminars, speaking engagements
- › Must be on official travel, acting on behalf of agency
- › Business class permissible *if sponsor offers to pay, but same rules apply*
- › Must not be for the purpose of performing one's line responsibilities such as: investigations, inspections, audits, site visits, negotiations or litigation
- › Reported bi-annually to OGE
- › All FTR rules apply

# No Solicitation Allowed



Solicitation of payments for travel, subsistence, and related expenses from a non-federal source *is prohibited*

- › What is solicitation?
- › If you claim travel reimbursement for a site visit that is required under the terms of a customer's agreement, is it a solicitation?
- › Employees may inform a potential sponsor that the Bank is authorized to accept travel expenses.
- › Must obtain a written offer of payment by the non-Federal sponsor (incl. length of trip, purpose, names of invitees, estimated amount of trip).



# No Solicitation Allowed



## Sample language to contact non-Federal sponsors

› Dear [sponsor],

It is our understanding that lender/sponsor meetings in [location] for [date] are confirmed. EXIM is unable to cover the cost of travel to participate in these meetings; however, the Bank has specific statutory authority to accept travel expenses to such meetings from non-Federal sponsors. If you intend to extend such an offer, please respond with a written invitation offering to cover all reasonable travel expenses, including estimated costs of flights, hotel, etc. for the following individuals who would attend the meetings from EXIM: [specific named employees].

# New Developments in EXIM Travel Policy



- › For all pre-authorized transactions – EXIM Bank employees will no longer use sponsor-paid travel.
- › In place of sponsor-paid travel, EXIM employees will utilize “Non-Admin” funding for travel. Contact the CFO’s office for guidance on which trips qualify for non-admin travel funding.
- › For post-authorized transaction – EXIM employees may continue to use sponsor-paid travel.

# Frequently Asked Sponsored Travel Questions



- › Can I combine personal travel with sponsored travel?
- › Can the sponsor buy my tickets in advance of EXIM travel authorization?
- › May I combine sponsored and non-sponsored travel for official purposes?



# Office of Ethics

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