

## **USDA OFFICE OF ETHICS - SCIENCE ETHICS BRANCH**

## ACCEPTANCE OF FREE ATTENDANCE AT WIDELY-ATTENDED GATHERINGS (WAG)

## PART A: TO BE COMPLETED BY EMPLOYEE (ATTACH YOUR LETTER OF INVITATION)

Name of Employee/Title		Agency/O	rganization/Location			
Name/Description of Event		Location of	Location of Event			
Purpose of Event						
Sponsor(s) of Event		Source of Free Attendance				
Approximate Value	Date(s) of the Ev	vent	Time/Length of Event			
Is the employee assigned on official duty to participate as a speaker, panel member or otherwise to present information on behalf of USDA at a conference or similar engagement?						
Yes		No				

- If yes, attendance on the day(s) of the employee's actual presentation is a customary and necessary part of his performance of the assignment and does not involve a gift to the individual or the USDA. No further action is necessary.
- If No, or the invitation includes attendance for days when the employee will not be making a presentation, proceed to Question 2.
- 2. Has someone other than the sponsor of the event designated the employee to be invited and will someone other than the sponsor bear the cost of the employee's attendance?

Yes No

If the answer to either is No, proceed to Question 3.

	expected to attend proceed to Question 3.
	• If the answer to either question is No, this gift may not be accepted under the WAG exception.
3.	Was the offer of free attendance solicited?
	Yes No
	If Yes, the invitation may not be accepted.
	► If No, proceed to Question 4.
4.	Is the event "widely attended" within the meaning of 5 CFR 2635.204(g)(2)? Currently, there is no precise test for determining whether an event is "widely attended" but several factors may be relevant to this determination in a given case:
	a. Is the event open to members from throughout a given industry?
	Yes No
	If Yes, please provide a brief description including the different interests and points of view they may represent.
	b. Will individuals in attendance represent a range of persons interested in a given matter?
	Yes No
	<ul> <li>If Yes, please provide a brief description of likely attendees.</li> </ul>
	c. Is the event expected to be attended by a large number of people?
	Yes No
	If Yes, please provide the approximate number of expected attendees:
5.	Provide an explanation regarding the purpose of the event and where will it be held.

If the answer to both is Yes, the invitation may not be accepted under the widely attended gathering

has a market value of \$350 or less.

exception UNLESS more than 100 persons are expected to attend the event and the gift of free attendance

If the market value of the gift of free attendance is \$350 or less AND more than 100 persons are

6.	Is attendance at this event in the interest of the agency because it will further agency programs or operations?				
	Yes No				
	If Yes, explain how the event relates to the employee's duties and how attendance would further agency programs.				
	If No, the gift may not be accepted under this exception.				
7.	A WAG exception involves a gift to an individual rather than to the USDA. Therefore, any individual subject to a leave system must be on his own time or have an excused absence.				
	Will the event be held after duty hours, e.g. evening, weekend?				
	Yes No  If during duty hours the employee may be on excused absence in accordance with applicable USDA policies and practices.				
	Yes No				
8.	Does the invitation include attendance by the employee's spouse or other guest?				
	Yes No				
	If Yes, does your spouse work for USDA? Yes No				
	If Yes, where?				
	If Yes, will other attendees at the event generally be accompanied by their spouse or other guests.				
	Yes No				
	Note: If yes, and someone other than the event sponsor is paying, the value of the guest's free attendance must be aggregated with the value of the employee's free attendance in applying the \$350 ceiling for WAGS offered by non-sponsors.				
9.	What is the monetary value of the gift of free attendance and how was this cost determined (conference, ticket price, etc.)				
	\$				
	Note: If the value of the WAG is \$350, or if it is valued at more than \$100 and the employee accepts other succepts from the same source in excess of \$100 each if the aggregate value reaches \$350 or more, the employee must report this on the financial disclosure form in the appropriate section on gifts.				
10.	10. Does the event sponsor have interests that may be substantially affected by the performance or nonperformance of the attendee's official duties? (if the sponsor is an organization/association, do the majority of its members have such interests?)				
	Yes No				

If the response to Question 10 is No, please forward this form to your Ethics Advisor for approval. If the response to Question 10 is Yes, authorization to attend may be granted only if the Ethics Advisor issues a

If the response to Question 10 is Yes, please provide the following information to assist the Ethics Advisor in reaching a decision: Describe the purpose and the importance of the event to USDA: Provide Information on the nature and sensitivity of any pending matter(s) affecting the interests of the sponsor of the event: Describe the significance, if any, of the employee's role in the matter described above: Provide information on the identity of other expected participants at the event: **Employee Signature** Date Part B: To Be Completed by the Supervisor **Supervisory Review:** Approval Recommended Disapproval Recommended Comments: Supervisor's Signature Date

written finding that USDA's interest in the employee's participation outweighs concern that acceptance of the gift may or may appear to improperly influence the employee in the performance of his official duties.

Part C: To Be Completed by the Agency/Area Ethic	es Advisor
This form constitutes a written recommendation that:	
Attendance at this event is approved.	
Attendance at this event is not approved for this reason:	
The sponsor's offer to the employee's spouse/guest is authorized.	
Agency/Area Ethics Advisor's Signature	Date
Part D: To Be Completed by the USDA Office of Ethics – Science	Ethics Branch
Concurrence	_
Do Not Concur for this reason:	
Signature of USDA Office of Ethics – SEB Advisor	Date

**Note:** The approval may be a blanket determination to cover any or all categories of invitees for whom the answer to Question 10 would be No.

A Written determination may be issued to cover two or more employees whose duties similarly affect the interests of the sponsor or its members for those employees for whom the answer to Question 10 would be Yes.