

Department of Transportation
Office of the Secretary
Washington, D.C.

ORDER

DOT 2700.11

4-10-73

SUBJECT: GIFTS AND BEQUESTS

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1. PURPOSE. This order establishes policies and procedures for the Department of Transportation with regard to the acceptance and administration of gifts and bequests received under the authority of Section 9(m) of the Department of Transportation Act, 49 U.S.C., 1657(m), for the purpose of aiding or facilitating the work of the Department. It does not apply to those gifts and bequests where the authority therefor is vested within the Department in a specific operating administration or NTSB, or official thereof, by other provisions of law or delegations made thereunder.
 2. SCOPE. The provisions of this order apply to the Office of the Secretary and the operating administrations. In addition, pursuant to delegation by the National Transportation Safety Board (NTSB) under Section 5(m) of the Department of Transportation Act, this directive applies to NTSB.
 3. AUTHORITY.
 - a. Under the provisions of Section 9(m) of the Department of Transportation Act, 49 U.S.C. 1657(m), the Secretary is authorized to accept, hold, sell, administer, and utilize gifts and bequests of property (both real and personal) and money for the purpose of aiding or facilitating the work of the Department. Transfers without reimbursement of Government-owned property to the Department from another agency, or from one agency to another within the Department are not considered as gifts or bequests subject to the provisions of this order.
 - b. The Assistant Secretary for Administration has been authorized to administer this provision of law for the Department and to make all determinations with regard to accepting gifts and bequests.
 4. POLICY. It is the policy not to accept offers of gifts or bequests unless some recognized need or objective of the Department can be

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served at a savings in cost, or other benefits in carrying out the work of the Department are expected to accrue therefrom. In accordance with the provisions of the authorizing legislation, any property or funds accepted under this order shall be used as nearly as possible in accordance with the terms of the gift or bequest.

5. PROCEDURES.

- a. Except as provided in item e below, any organization subject to this order which receives an offer of a gift or bequest to aid or facilitate the work of the Department, as defined in paragraph 1, shall promptly make a written report to the Assistant Secretary for Administration, who will decide whether to accept or reject such offer. This report shall contain the following information:
 - (1) Name and address of offeror and nature of business or profession.
 - (2) Description of gift or bequest.
 - (3) Amount of money and/or estimated dollar value of property.
 - (4) Any conditions or terms under which offered.
 - (5) Function or operation in which it is proposed to be used.
 - (6) Manner of use and benefits to be derived therefrom, including any savings.
 - (7) Estimated costs, if any, to be incurred to place property in use and description of such costs.
 - (8) Recommendations with regard to accepting or rejecting offer.
- b. After reviewing and evaluating the reported information, the Assistant Secretary for Administration will notify the organization receiving the offer whether to accept or reject it and whether there are any special requirements relating to the administration of the gift or bequest.
- c. Sales or other disposals of property received as gifts or bequests must be approved by the Assistant Secretary for Administration. Proceeds from such sales along with any gifts or bequests of money shall be deposited in a special account in the Treasury. Withdrawals from such special account may be made only in accordance with a plan therefor approved in writing by the Assistant Secretary for Administration. The plan to be submitted for approval shall include (1) a general

statement of the activities to be undertaken and (2) the type and estimated amount of expenditures anticipated.

- d. The responsibility to maintain the accounting records for any property or funds resulting from any gifts or bequests administered under this order shall be performed by the organization responsible for the accounting operations of the organization administering the gift or bequest.
- e. Books and other publications may be accepted without following the procedures outlined in this paragraph provided the policy requirements contained in paragraph 4 are observed.

FOR THE SECRETARY OF TRANSPORTATION:



William S. Heffelfinger
Assistant Secretary
Administration