

## **USA SWIMMING GIFTS & ENTERTAINMENT POLICY**

### **SECTION 1. PURPOSE**

USA Swimming is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. USA Swimming therefore has adopted this Gifts & Entertainment Policy to provide instruction to the USA Swimming Board of Directors, officers, committee members, task force members, hearing panel members, volunteers, and employees, and, by extension, their spouses and immediate family members (“Covered Individuals”) regarding how to handle offers of gifts or other forms of entertainment from individuals or companies that do business with, or are interested in doing business with, USA Swimming. Additionally, where reasonable, contractors shall be required to comply with this Policy in their written contracts.

This Policy should not be considered in any way as an encouragement to make, solicit, or receive any type of gift or entertainment. Covered Individuals may not, under any circumstances, actively solicit any type of gift or entertainment. Further, USA Swimming will not under any circumstances permit or authorize participation in any gifts or entertainment that might be considered lavish, inappropriate, or illegal.

### **SECTION 2. RECEIVING BUSINESS COURTESIES**

#### **A. Current Business Partners**

Covered Individuals may accept gifts from individuals and companies that currently do business with, or make donations to, USA Swimming as follows:

- 1) Partner/sponsor/supplier products and partner/sponsor/supplier-branded products (e.g., logoed jackets) with a total value of under \$1,000 per person, per year, per individual/company;
- 2) Other gifts with a value of no more than \$500 per person, per year, per individual/company;
- 3) Invitations for the Covered Individual to attend sporting events with an individual/company representative (including travel to and from such events only to the extent approved in advance by USA Swimming’s Ethics Committee);
- 4) On an infrequent basis, invitations for a spouse or family member to join the Covered Individual at sporting events with an individual/company representative;
- 5) Invitations to attend fundraising events with an individual/company representative at no cost to the Covered Individual;

- 6) Invitations to attend other social, educational, or entertainment events intended to enhance the business relationship, provided that the cost of the event does not exceed \$500 per Covered Individual per event and \$1,000 total per individual/company per year; and
- 7) Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

**B. Prospective Business Partners**

Covered Individuals may accept gifts from individuals and companies that are not current business partners of USA Swimming, but that may or may not be seeking to engage in a business relationship with USA Swimming as follows:

- 1) Gifts with a value of not more than \$500 per Covered Individual, per year, per individual/company;
- 2) Invitations for the Covered Individual to attend sporting events with an individual/company representative (and travel to and from such events, only to the extent approved in advance by USA Swimming's Ethics Committee);
- 3) Invitations to attend fundraising events with an individual/company representative;
- 4) Invitations to attend other social, educational, or entertainment events intended to promote the possible business relationship, provided that the cost of the event does not exceed \$500 per Covered Individual per event, and \$1,000 total per Covered Individual per individual/company per year.

**C. Limitations**

Covered Individuals may never accept cash or financial instruments, such as checks or stocks. Under the guidelines set forth herein, Covered Individuals may accept gift certificates or gift cards.

**SECTION 3: DISCLOSURE AND APPROVAL**

All gifts or invitations that exceed the above limits, and all invitations that involve the third party paying for the Covered Individual's travel and/or overnight accommodations, must be promptly reported to the Ethics Committee in advance and in writing, before they may be accepted. Where the gift or invitation is made to a member of the Ethics Committee, that member of the Ethics Committee must recuse themselves from review of the gift or invitation.

In addition, the Ethics Committee shall have the right, in consultation with the Covered Individual, to require that any gift(s) be returned, donated to the USA Swimming

Foundation, or donated to another agreed-upon charity if the Ethics Committee believes that such gift(s) is not proper and/or creates an appearance of impropriety.

**The Gift Disclosure form is attached hereto.**

## **SECTION 4: EXTENDING BUSINESS COURTESIES**

### **A. General Rules**

There may be times when a USA Swimming employee or Board member wishes, as a business matter, to extend to a current or potential USA Swimming business associate (i.e., an individual or company) a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to further or develop a business relationship. Additionally, there may be times when a current or potential USA Swimming business associate (i.e., an individual or company) wishes, as a business matter, to extend to a USA Swimming employee or a Board member a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to further or develop a business relationship. In such instances, gifts may not exceed \$500 in value per person per year, without the prior written approval of the Ethics Committee.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the USA Swimming employee or Board member must be present. The cost associated with such an event should not exceed \$500 per person/company per year, except with regard to sporting events and fundraising functions, without the prior written approval of the Ethics Committee. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than four times per year. Frequency beyond the foregoing must be pre-approved in writing by the Ethics Committee. To the extent the USA Swimming employee or Board member has knowledge of applicable restrictions by a recipient's organization on gifts and entertainment, the USA Swimming employee or Board member must undertake best efforts for all business entertainment and gifts to comport with the restrictions imposed by the recipient's organization.

USA Swimming employees or Board members may give gift certificates within the limits set forth in this Policy, but may never give cash or financial instruments, such as checks or stocks.

### **B. Development Division**

USA Swimming recognizes that the limits set forth in Section 4(A) may hamper the ability of the Development Division and its employees to perform their job functions as they relate to the USA Swimming Foundation. Thus, the foregoing limits will not apply to the Development Division employees if the invitation or event is part of normal and reasonable job duties and the event is not lavish or unreasonable. For Development Division employees only, the cost of gifts and events for which no prior written approval is required is \$1,000 per person per year. To the extent any gift or invitation would exceed that limitation, the Development employees should ensure that such gifts or

invitations are disclosed with sufficient advance notice to permit the receipt of prior written approval from the Ethics Committee.

**C. Government Employees**

The giving of gifts to federal, state, and local government employees is governed by a complex set of rules that is typically agency-specific. Generally, the giving of gifts to government employees is very limited or prohibited. Before offering a gift to a government employee, of any value, a Covered Individual must receive the approval of the Ethics Committee in advance and in writing.

**D. Disclosure And Approval**

All gifts or invitations offered by a USA Swimming employee or Board member must be covered by the appropriate USA Swimming budget and must be approved in advance by the appropriate USA Swimming supervisor. All gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by, the Ethics Committee before they may be offered.

**SECTION 5. CONTACT INFORMATION**

The USA Swimming Ethics Committee and the Secretary & General Counsel are responsible for the enforcement of this Gifts and Entertainment Policy. All inquiries and questions should be referred to the Ethics Committee or the Secretary & General Counsel:

ethicscommittee@usaswimming.org

Michelle Steinfeld  
[msteinfeld@usaswimming.org](mailto:msteinfeld@usaswimming.org)  
719-866-3594

**USA SWIMMING GIFT DISCLOSURE FORM**

Please complete this form immediately upon receipt of personal gifts received in your capacity as an employee or representative of USA Swimming.

Name: \_\_\_\_\_

- Employee                       Board Member                       Volunteer
- Committee Member               Hearing Panel Member
- Task Force Member               Athlete Representative
- Other (please specify): \_\_\_\_\_

- Please describe the gift(s) received: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- The value of the gift is estimated at \$\_\_\_\_\_. **Note: This is a good faith estimate based on retail value. If the value cannot reasonably be estimated or determined, so state.**
- Please describe the source of the gift (name and relationship to USA Swimming) and under what circumstances it was received:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Indicate below any matters pending or likely to arise in the future that might involve the donor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certification:**              I certify that this gift was not solicited.

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

*Send this completed form to the USA Swimming Ethics Committee, at [ethicscommittee@usaswimming.org](mailto:ethicscommittee@usaswimming.org)*