

117TH CONGRESS
1ST SESSION

H. R. 5729

To direct any entity of the Federal Government accepting a gift or donation to include certain conditions in the contract or agreement to accept such gift or donation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2021

Mr. COOPER (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. LYNCH, Mr. CONNOLLY, Mr. WELCH, and Mr. COSTA) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To direct any entity of the Federal Government accepting a gift or donation to include certain conditions in the contract or agreement to accept such gift or donation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Government Integrity
5 is Not for Trade or Sale Act of 2021” or the “GIFTS
6 Act of 2021”.

1 **SEC. 2. CONDITIONS FOR DONATION AGREEMENT.**

2 (a) IN GENERAL.—Any covered contract entered into
3 by an entity of the Federal Government, including an
4 agency or an instrumentality, shall include terms and con-
5 ditions agreed upon by any party to such contract that
6 include prescriptive requirements that reflect the termi-
7 nation conditions described in subsection (b).

8 (b) TERMINATION CONDITIONS.—The entity of the
9 Federal Government described in subsection (a) may re-
10 voke any rights to name, designate, or redesignate the
11 subject of any gift or donation (referred to in this section
12 as “naming rights”) contained in the contract described
13 in such subsection without incurring liability or creating
14 an obligation to return the gift or donation that is the
15 subject of such contract to the donor under the following
16 conditions:

17 (1) A certain period of time has elapsed after
18 the date of the contract, given that such period—

19 (A) is at least 20 years; or

20 (B) is otherwise agreed to by such entity
21 and the donor.

22 (2) In the reasonable view of such entity—

23 (A) an act, including a criminal act or an
24 ethical violation, has been committed before, on,
25 or after the date of the contract, by—

1 (i) the donor or an agent of such
2 donor; or

3 (ii) an individual with respect to
4 which naming rights were awarded pursu-
5 ant to the contract; and

6 (B) because of the act described in sub-
7 paragraph (A), the revocation of such rights is
8 necessary to protect the reputation or integrity
9 of the Federal Government.

10 (c) DEFINITION OF COVERED CONTRACT.—In this
11 Act, the term “covered contract” means any agreement
12 or contract entered into by an entity of the Federal Gov-
13 ernment to—

14 (1) accept a gift or donation from a donor; and

15 (2) provide to the donor, or a third party as
16 designated, naming rights in connection with the ac-
17 ceptance of such gift or donation.

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