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ONE HUNDRED TWELFTH CONGRESS

U.S. House of Representatives

COMMITTEE ON ETHICS

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MEMORANDUM FOR ALL MEMBERS, MEMBERS-ELECT, OFFICERS, AND EMPLOYEES

FROM: Committee on Ethics
Jo Bonner, Chairman *JB*
Linda T. Sánchez, Ranking Member *LS*

SUBJECT: Member Swearing-in and Inauguration Day Receptions, and Attendance at Inaugural-Related Events

Recently the Committee has received a number of inquiries on the rules relating to two subjects: (1) the receptions that Members wish to hold in connection with their swearing-in and on Inauguration Day, and (2) Member and staff attendance at events held in connection with the Presidential Inauguration. The major rules that apply in these areas are briefly summarized below, and guidance addressed to specific circumstances is available by calling or writing to the Committee.

Member Swearing-in and Inauguration Day Receptions. At times Members – especially newly-elected Members – wish to hold a reception or similar event for their supporters in connection with their swearing-in. The Committee has long advised that Members may use their campaign funds to pay the costs of such a reception, and this is so even if the reception is held in the Member’s office or another House room. However, such events should not be campaign or political in nature, such as limiting the invitee list to include only campaign contributors. A Member may also use campaign funds to pay for an Inauguration Day reception for visiting constituents held in the Member’s office or elsewhere. Questions about the use of the Members’ Representational Allowance to hold an event in connection with either ceremony should be directed to the Committee on House Administration.

The Committee has received several inquiries, the substance of which is whether it is permissible for a lobbying firm or other private entity to pay the costs of a Member’s swearing-in or Inauguration Day reception. Such arrangements are *not* permissible, as the payment of the costs of the event would constitute an impermissible gift to the Member under the House gift rule (clause 5 of House Rule 25).

Attendance at Privately-Sponsored Events. Offers of free attendance at swearing-in or Inaugural-related events are fully subject to the House gift rule. Thus, a Member or staff person may accept such an offer only if acceptance is allowed under one of the provisions of the rule. Many of the inquiries that the Committee has received concern attendance at events sponsored by a state society or other private organizations. Free attendance at those events is generally permissible under the “widely attended” event provision of the gift rule, provided that the offer was made by the event organizer (not a person or entity that simply bought tickets or donated to the event), the offer is limited to the Member or staff person and one accompanying individual only, the requirements on event size are satisfied,¹ and attendance is connected to the individual’s official duties.

In addition, Members and staff are generally free to attend any reception, *i.e.*, an event at which the food served is limited to moderate hors d’oeuvres, beverages, and similar items and does not constitute a meal. The gift rule also allows a Member, officer, or employee to accept a gift, including free attendance at an event, having a value of less than \$50, provided that the source of the gift is not a registered lobbyist, foreign agent, or private entity that retains or employs such individuals. The cumulative value of gifts that may be accepted from any one source in a calendar year under this exception must be less than \$100, and no gifts of cash or cash equivalent are permitted.

Detailed information on the provisions of the gift rule regarding attendance at events is available in chapter 2 of the Committee’s *2008 House Ethics Manual*, copies of which are available from the Committee’s office, and the text of which is on the Committee’s Web site, ethics.house.gov.

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Please note that the Committee’s guidance is subject to change if the 113th Congress adopts changes to the ethics rules. Members and staff with questions on the matters addressed above should contact the Committee after the 113th Congress has convened to seek further guidance about any such rule changes.

Any questions on these subjects should be directed to the Committee’s Office of Advice and Education at (202) 225-7103.

¹ The Committee on Ethics has determined that an event is “widely attended” if (a) there is a reasonable expectation that at least 25 persons, other than Members, officers, or employees of Congress, will attend the event, and (b) attendance is open to individuals from throughout a given industry or profession, or those in attendance represent a range of persons interested in a given matter. Individuals who are officials of other branches or levels of government count toward the required minimum of 25, but spouses and others who accompany the congressional Members and staff do not count toward the required minimum. *See 2008 House Ethics Manual at 41-42.*