



U.S. House of Representatives

COMMITTEE ON ETHICS

Washington, DC 20515

September 19, 2022

MEMORANDUM FOR ALL MEMBERS, OFFICERS, AND EMPLOYEES

FROM: Committee on Ethics
Theodore E. Deutch, Chairman
Michael Guest, Acting Ranking Member

SUBJECT: Guest Policy Change and Reminder of Gift Rules for Attendance at Events

This memorandum announces a policy change by which the Committee has simplified its guidance concerning guests at events¹ in order to reduce confusion and promote compliance with the House Gift Rule.²

The memorandum is also a reminder to Members, officers, and employees of the rules for accepting free attendance at events and offers a quick reference guide for the event attendance rules.³ Remember that you may never solicit, or ask for anything of value,⁴ including free attendance at an event, whether you ask for your own free attendance or someone else's. You also may not accept anything that has been solicited for you.

Guest Policy Change

Prior Guidance: Different exceptions to the House Gift Rule contained various rules for what kind of guests Members, officers, or employees could bring to an event if offered free attendance for a guest.

New Guidance: If you are offered free attendance at an event for yourself and a guest, which otherwise complies with the House Gift Rule, you may accept the offer for any kind of guest.⁵

¹ The Committee makes this change to guidance concerning who may accompany you to an event pursuant to its general waiver authority under House Rule 25, cl. 5(a)(3)(T). Nothing in this memorandum alters who may accompany you on privately-sponsored travel or on other officially-connected travel.

² House Rule 25, clause 5.

³ This guidance is not exhaustive and merely highlights event-specific exceptions to the Gift Rule. Please contact the Ethics Committee at (202) 225-7103 if you have questions about the event-specific exceptions or if none of these exceptions apply to your situation. Additional exceptions may still permit you to accept free attendance.

⁴ Anti-Solicitation Statute, 5 U.S.C. § 7353.

⁵ Event organizers may set their own limitations on guests. Nothing in this memorandum should be interpreted to override that.

Reception

What It Is: A reception is often a collegial gathering. A reception may be organized for the purposes of networking or socializing and does not have to include programming related to your official duties. Your attendance may be personal or official.

Requirements of the Exception: The food offered is limited to appetizers, hors d'oeuvres, and drinks. The food offered does not include even low-cost items that could be considered a meal, such as a pizza or hot dog. The setting is other than one-on-one. The invitation may come from anyone.

What You May Accept if Offered: Free attendance for yourself and one other person, appetizers, drinks, and informational materials.

Widely-Attended Event

What It Is: A widely-attended event is an event related to your official work where you speak on a topic related to your work for the House, you learn something related to your work, or where the event is otherwise related to your representational role. Large events, such as conferences, forums, and large fly-in dinners are often widely-attended events.

Requirements of the Exception: For this exception to apply, you must receive the invitation from the event organizer(s), and not from a financial sponsor. You must determine that attendance at the event is related to your official duties. The event organizer must expect at least 25 other attendees from a broad group of people other than Congressional attendees or the event organizer's own employees.

What You May Accept from Event Organizer if Offered: Free attendance at the event for yourself and one other person; appetizers, drinks, and/or meals; local transportation;⁶ and informational materials.

Educational Event

What It Is: The main purpose of an educational event is for you to learn something that will help you better understand a topic related to the work you do for the House in a small group setting, such as a roundtable or a briefing. Often, educational events are structured to enhance discussion.

Requirements of the Exception: For this exception to apply, you must receive the invitation from the event sponsor. The main purpose of the event must be educational, such as a lecture, seminar, or discussion. The event sponsor must be a university, foundation, think tank, or similar nonprofit, non-advocacy organization. The event sponsor may not be a registered federal lobbyist or foreign agent nor employ or retain a registered federal lobbyist or foreign agent.

What You May Accept from the Sponsor if Offered: Free attendance for yourself and one other person; appetizers, drinks, and/or a meal; and informational materials.

Constituent Event

What It Is: The main purpose of a constituent event is to meet with constituent groups in a smaller group setting. Constituent events can include attendance at a monthly meeting with the local chamber of commerce or fly-in dinners that do not meet the numerical requirement for a widely-attended event.

Requirements of the Exception: For this exception to apply, you must receive the invitation from a civic association, veteran group, trade association, or similar organization comprised of constituents. The event must be regularly scheduled. You must determine that the event is related to your official

⁶ Local transportation is defined as less than 35 miles.

or representational duties. The event must be open to members of the constituent group, rather than just its officers or board members.

What You May Accept from the Constituent Group if Offered: Free attendance for yourself and one other person; appetizers, drinks, and/or a meal; and informational materials.

Business Site Visit

What It Is: The main purpose of a business site visit is to enable you to tour a factory or other business to better understand its operations.

Requirements of the Exception: For this exception to apply, you must receive the invitation from site management. The local transportation offered must not begin or end in Washington, D.C. The meal offered must take place in a group setting with employees of the organization, rather than just with board members or management.

What You May Accept from Site Management if Offered: Free attendance for yourself and one other person, local transportation from an airport or other terminus to the business site, a meal at the business site in a group setting, and related informational materials.

Charitable Fundraising Event

What It Is: A charitable fundraising event is one where the event organizer raises funds or in-kind donations for an Internal Revenue Code (IRC) § 170(c) organization. Most commonly, these are 501(c)(3) charitable organizations. Some charitable fundraising events are referred to as galas. Your attendance is personal.

Requirements of the Exception: For this exception to apply, you must receive the invitation from the event organizer(s), and not from a financial sponsor. At least half of the event proceeds must benefit an IRC § 170(c) organization.

What You May Accept from Event Organizer if Offered: Free attendance at the event for yourself and one other person; appetizers, drinks, and/or meals; local transportation; long-distance transportation and one night of lodging from the event organizer; informational materials; and entertainment at the event.

Political Event

What It Is: A political event is often a fundraiser where the proceeds will benefit a federal campaign or candidate. Political events are not always fundraisers. Your attendance is personal.

Requirements of the Exception: For this exception to apply, you must receive the invitation from the event sponsor. The sponsor must be an IRC § 527 organization. Most commonly, these are principal campaign committees, PACs, or parties.

What You May Accept from the Sponsor if Offered: Free attendance at the event for yourself and invited guests;⁷ appetizers, drinks, and/or meals; local transportation; long-distance transportation; lodging; informational materials; and entertainment at the event.

⁷ House Rule 25, cl. 5(a)(3)(G)(iii) allows you to accept anything a political organization offers in connection with a political event, including free attendance for multiple guests.

Common Event Exceptions to the House Gift Rule

Gift Rule Exception	Requirements	What You May Accept IF OFFERED								
		Your Free Attendance	Free Attendance for Any Kind of Guest	Info. Materials	Appetizers and Drinks	Meal	Local Travel	Long-Distance Travel	Lodging	Entertainment
Reception	<ul style="list-style-type: none"> • Invitation from anyone • Food limited to appetizers, drinks • Other than one-on-one setting 	✓	✓	✓	✓	✗	✗	✗	✗	✗
Widely-Attended Event	<ul style="list-style-type: none"> • Invitation from the event organizer • Related to your official duties • Organizer expects ≥ 25 attendees from broad group 	✓	✓	✓	✓	✓	✓	✗	✗	✗
Educational Event	<ul style="list-style-type: none"> • Invitation from the sponsor • Sponsor is nonadvocacy organization • Sponsor is not, and does not, retain or employ federal lobbyist or foreign agent • Purpose is educational 	✓	✓	✓	✓	✓	✗	✗	✗	✗
Constituent Event	<ul style="list-style-type: none"> • Invitation from constituent group • Event regularly scheduled • Related to your official duties • Event open to members of group 	✓	✓	✓	✓	✓	✗	✗	✗	✗
Business Site Visit	<ul style="list-style-type: none"> • Invitation from site management • Transportation not to/from DC • Meal in communal setting 	✓	✓	✓	✗	✓	✓	✗	✗	✗
Charitable Fundraising Event	<ul style="list-style-type: none"> • Invitation from the event organizer • At least half of the proceeds benefit an IRC § 170(c) organization • Attendance is personal 	✓	✓	✓	✓	✓	✓	✓	✓	✓
Political Event	<ul style="list-style-type: none"> • Invitation from the sponsor • Sponsor is IRC § 527 organization • Attendance is personal 	✓	✓	✓	✓	✓	✓	✓	✓	✓