

# U.S. House of Representatives

COMMITTEE ON STANDARDS OF  
OFFICIAL CONDUCT

Washington, DC 20515

November 20, 2008

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

**FROM:** Committee on Standards of Official Conduct  
Gene Green, Acting Chairman *GG*  
Doc Hastings, Ranking Republican Member *DH*

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

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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 on January 6, 2009 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,<sup>1</sup> 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 hors d’oeuvres, beverages, and similar items and does not constitute a meal. The gift rule also allows the acceptance of virtually any gift, including free attendance at an event, having a fair market value of less than \$50, subject, however, to the overall limitation of less than \$100 in such gifts from any one source in a calendar year, provided that the donor is not a registered federal lobbyist or foreign agent, or an entity that employs or retains such an individual.

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 website, [ethics.house.gov](http://ethics.house.gov).

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Please note that the Committee’s guidance is subject to change if the 111th Congress adopts changes to the ethics rules. Members and staff with questions on the matters addressed above should contact the Committee after the 111th 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.

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<sup>1</sup> The Standards Committee has determined that an event is “widely attended” if (a) there is a reasonable expectation of 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. *See 2008 House Ethics Manual at 41-42.*