

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. RES. 134

To amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1995

Mrs. WALDHOLTZ (for herself, Mr. BARRETT of Wisconsin, Mr. SHAYS, Mr. MINGE, Mr. KLUG, Mr. DEAL of Georgia, Mr. CASTLE, Mr. MCHALE, and Mr. DICKEY) submitted the following resolution; which was referred to the Committee on Standards of Official Conduct

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## RESOLUTION

To amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons.

1       *Resolved,*

2       **SECTION 1. GIFTS.**

3       Clause 4 of rule XLIII of the Rules of the House  
4 of Representatives is amended to read as follows:

5       “4. (a)(1) No Member, officer, or employee of the  
6 House of Representatives shall accept a gift from a lobby-  
7 ist who is registered under the Federal Regulation of Lob-  
8 bying Act, the Foreign Agents Registration Act, or any  
9 successor statute unless—

1 (A) the lobbyist is a member of the immediate  
2 family of the Member, officer, or employee to whom  
3 the gift was made, or

4 (B) the Member, officer, or employee did not  
5 know or have reason to know that the gift was given  
6 because of the official position of the Member, offi-  
7 cer, or employee, was given through a member of the  
8 Member's, officer's, or employee's immediate family  
9 or an entity maintained or controlled by the Mem-  
10 ber, officer, or employee, or was given by a lobbyist  
11 who—

12 (i) was reimbursed, directly or indirectly,  
13 for the value of the gift,

14 (ii) was provided any other compensation  
15 for the value of the gift, or

16 (iii) did deduct the value of the gift from  
17 the lobbyist's Federal income tax liability,

18 and the Member, officer, or employee disclosed the  
19 gift to the Committee on Standards of Official  
20 Conduct.

21 “(2) No lobbyist who is registered under the Federal  
22 Regulation of Lobbying Act, the Foreign Agents Registra-  
23 tion Act, or any successor statute may provide a gift which  
24 is prohibited under paragraph (1) or deduct the value of

1 the gift as a business expense from the lobbyist's Federal  
2 income tax liability.

3 “(b)(1) No Member, officer, or employee of the  
4 House of Representatives may accept a gift from any per-  
5 son other than a lobbyist unless—

6 “(A) the person giving the gift is a member of  
7 the immediate family of the Member, officer, or em-  
8 ployee to whom the gift was made,

9 (B) the Member, officer, or employee did not  
10 know or have reason to know that the gift was given  
11 because of the official position of the Member, offi-  
12 cer, or employee, was given through a member of the  
13 Member's, officer's, or employee's immediate family  
14 or an entity maintained or controlled by the Mem-  
15 ber, officer, or employee, or was given by an individ-  
16 ual who—

17 (i) was reimbursed, directly or indirectly,  
18 for the value of the gift,

19 (ii) was provided any other compensation  
20 for the value of the gift, or

21 (iii) did deduct the value of the gift from  
22 the individual's Federal income tax liability,  
23 and the Member, officer, or employee disclosed the  
24 gift to the Committee on Standards of Official  
25 Conduct,

1           “(C) the gift consisted of a meal,

2           “(D) the gift was a contribution or other pay-  
3           ment to a legal defense fund established for the ben-  
4           efit of a Member, officer, or employee,

5           “(E) the gift was an extension of personal hos-  
6           pitality, as defined in section 109(14) of the Ethics  
7           in Government Act, by the person giving the gift on  
8           the premises of such person,

9           “(F) the gift was attendance at a charity, sym-  
10          posium, conference, association dinner, or other  
11          similar widely-attended event.

12 For purposes of subparagraph (F), the term ‘attendance’  
13 includes the provision of local transportation and the pro-  
14 vision of food, refreshments, entertainment, and instruc-  
15 tional materials furnished as an integral part of an event.

16          “(2) No person may make a gift which is prohibited  
17 under paragraph (1) or deduct the value of such a gift  
18 as a business expense from the person’s Federal income  
19 tax liability.

20          “(c) For purposes of paragraphs (a) and (b), the  
21 term ‘gift’ includes—

22               “(1) objects,

23               “(2) food, refreshments, and lodging reimburse-  
24               ment in connection with an event attended by a

1 Member, officer, or employee because of the position  
2 of the Member, officer, or employee,

3 “(3) a gift given to any person, including a  
4 charitable organization, on the basis of a designa-  
5 tion, recommendation, or other specification which  
6 was made by the Member, officer, or employee for  
7 whom the gift was made and which was not made  
8 as a solicitation directed to a broad category of indi-  
9 viduals or entities, and

10 “(4) tickets to an event.

11 “(d) For purposes of paragraphs (a) and (b), the  
12 term ‘gift’ has the same meaning given that term by the  
13 Office of Ethics in its regulations (5 C.F.R. 2635.203(b))  
14 and specifically does not include—

15 “(1) informational material,

16 “(2) receptions and other food and refresh-  
17 ments of a nominal value not offered as part of a  
18 meal,

19 “(3) products from the home state of the Mem-  
20 ber which are of nominal value,

21 “(4) objects of little intrinsic value, or

22 “(5) payments or reimbursements for reason-  
23 able and necessary expenses for travel, for a period  
24 not exceeding 3 days, exclusive of travel time, within  
25 the United States or for a period not exceeding 7

1 days, exclusive of travel time, outside the United  
2 States, to meetings, speaking engagements, fact-  
3 finding trips, or similar events directly related to the  
4 official duties of the Member, officer, or employee  
5 if—

6 “(A) any payment or reimbursement does  
7 not include expenditures for any recreational  
8 activity or attendance at a congressional re-  
9 treat;

10 “(B) any payment or reimbursement does  
11 not include expenditures for entertainment  
12 other than that provided to all attendees as an  
13 integral part of an event which is directly relat-  
14 ed to such official duties; and

15 “(C) within 30 days after the travel is  
16 completed, the Member, officer, or employee  
17 discloses to the Committee on Standards of Of-  
18 ficial Conduct for immediate public disclosure—

19 “(i) such travel,

20 “(ii) the name of the Member, officer,  
21 or employee for whom the travel was pro-  
22 vided,

23 “(iii) the dates and destination of the  
24 travel,

1                   “(iv) the name of the person or entity  
2                   providing any payments or reimbursements  
3                   for travel,

4                   “(v) the purpose of the travel, and

5                   “(vi) a good faith estimate to total  
6                   transportation expenses, total lodging ex-  
7                   penses, total meal expenses, and any other  
8                   expenses related to such travel reimbursed  
9                   or to be reimbursed.

10 Such term does not include an item which it is not prac-  
11 tical to return because it is perishable and the item is ei-  
12 ther shared with the recipient’s office, destroyed, or given  
13 to a charity on the basis of a designation, recommenda-  
14 tion, or other specification by a Member, officer, or em-  
15 ployee.

16           “(e) The Committee on Standards of Official Conduct  
17 may grant a waiver from the requirements of this clause  
18 in unusual circumstances and shall make public any such  
19 waiver granted.”.

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