

104TH CONGRESS
1ST SESSION

H. RES. 66

To amend the Rules of the House of Representatives to ban gifts, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1995

Mrs. SMITH of Washington (for herself, Mr. BROWNBACK, Mr. FOX of Pennsylvania, Mr. CHRYSLER, Mr. WELDON of Florida, Mr. HOSTETTLER, and Mr. METCALF) submitted the following resolution; which was referred to the Committee on Standards of Official Conduct and, in addition, to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

To amend the Rules of the House of Representatives to
ban gifts, and for other purposes.

1 *Resolved,*

2 **SECTION 1. SHORT TITLE.**

3 This resolution may be cited as the “Clean Govern-
4 ment Resolution of 1995”.

5 **SEC. 2. GIFT BAN.**

6 Clause 4 of Rule XLIII of the Rules of the House
7 of Representatives is amended to read as follows:

1 “4. (a)(1) No Member, officer, or employee may ac-
2 cept a gift, whether made directly or indirectly, from any-
3 one.

4 “(2) For purposes of this Rule, the following are not
5 defined gifts subject to the prohibition in subparagraph
6 (1):

7 “(A) Gifts from a relative, including a fiancée.

8 “(B) A gift given by an individual which is mo-
9 tivated by a personal friendship rather than the po-
10 sition of the Member, officer, or employee. In deter-
11 mining if a gift is motivated by a personal friend-
12 ship, the history of the relationship shall be consid-
13 ered and whether the gift giver personally paid for
14 the gift. If the gift exceeds \$250, the Committee on
15 Standards of Official Conduct must grant a waiver.

16 “(C) Gifts of personal hospitality from an indi-
17 vidual, not a corporation or organization, for a non-
18 business purpose on facilities owned by that individ-
19 ual or the individual’s family.

20 “(D) Anything for which the recipient pays the
21 market value or does not use and promptly returns
22 to the donor.

23 “(E) Items of little intrinsic value.

24 “(F) Bequests, inheritances, and other trans-
25 fers at death.

1 “(G) Political contributions as defined by the
2 Federal Election Commission and otherwise reported
3 as required by law.

4 “(H) Food, lodging, transportation, and enter-
5 tainment provided on an official basis by Federal,
6 State, and local governments or political subdivisions
7 thereof.

8 “(I) Informational materials sent to a Member’s
9 office, including newspapers, magazines and other
10 periodicals, books, audio tapes, videotapes, and other
11 forms of communication.

12 “(J) Nonmonetary awards, trophies, mementos,
13 or honorary degrees presented to a Member, officer,
14 or employee.

15 “(K) Consumable products provided to a Mem-
16 ber’s office by a home-State business which are pri-
17 marily intended for consumption by persons other
18 than the Member or staff.

19 “(L) Awards and prizes given to competitors in
20 contests or events open to the public, including ran-
21 dom drawings.

22 “(M) Opportunities and benefits which are
23 available to the public or to Federal employees.

1 “(N) Opportunities and benefits offered to
2 members of a group or class in which membership
3 is unrelated to Congressional employment.

4 “(O) Opportunities and benefits based on out-
5 side business or employment activities which it is
6 clear that such opportunities and benefits have not
7 been offered or enhanced because of a Member’s, of-
8 ficer’s, or employee’s official status.

9 “(b)(1) No Member, officer or employee may accept
10 payment or reimbursement for meals or entertainment.

11 “(2) For purposes of this Rule, the following are not
12 meals or entertainment subject to the prohibition in sub-
13 paragraph (1):

14 “(A) Meals and entertainment provided by a
15 relative, including a fiancée.

16 “(B) Meals or entertainment or both from a
17 friend, given under circumstances which make it
18 clear that the meal or entertainment is provided
19 based on a personal friendship rather than the posi-
20 tion of the Member, officer, or employee. Relevant
21 factors in making such a determination include the
22 history of the relationship and whether the friend
23 personally pays for the meal or entertainment.

24 “(C) Meals, food, and entertainment provided
25 at widely attended gatherings, including conventions,

1 charity events, conferences, symposiums, retreats,
2 dinners, receptions, viewings, or similar events if the
3 meals, food, and entertainment are not solicited by
4 the Member, officer, or employee.

5 “(c)(1) No Member, officer, or employee may accept
6 payment or reimbursement for travel expenses (including
7 associated transportation, lodging, or entertainment) from
8 anyone (including a foreign government in a foreign coun-
9 try) unless such travel expenses were paid by a relative
10 or personal friend.”.

11 **SEC. 3. SANCTION.**

12 Clause 4(e)(1)(B) of Rule X of the Rules of the
13 House of Representatives is amended by inserting before
14 the semicolon the following: “except that if a Member, offi-
15 cer, or employee violated clause 4 of Rule XLIII, such
16 Member, officer, or employee shall be subject to discipli-
17 nary action by the committee, including a fine of a value
18 not less than the value of the gift, meals, food, and enter-
19 tainment, or travel expenses received in violation of such
20 clause and of a value not to exceed three times the value
21 of such gift, meals, food, and entertainment, or travel
22 expenses”.

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