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Guidance on Provision of Gifts to Members of Congress and Congressional Staff by the CSU and its Employees

The California State University is an entity that employs federal lobbyists and is registered as such under the Lobbying Disclosure Act. Therefore, the CSU **and all CSU employees** are subject to a detailed and complicated set of restrictions when it comes to providing gifts and travel to members of Congress and Congressional staff. These restrictions can be found in the ethics rules of the House and Senate. Knowing violation of these rules can lead to civil or criminal penalties. This document provides some summary information and basic guidance about those rules. Compliance with the rules is essential; any questions about their applicability should be directed to Jim Gelb (jgelb@calstate.edu) or George Conant (gconant@calstate.edu) in the CSU Office of Federal Relations (both can also be reached by phone at 202.434.8060.)

Q: What constitutes a gift?

A: A gift is anything having monetary value, including such things as items, food, tickets to sporting or other events, and travel.

Q: What gifts from CSU employees are prohibited?

A: As a **general** rule, members of Congress and their staff may not accept gifts, including travel, of any value from entities that, like the CSU, employ registered lobbyists.

However, the general rule does not apply to a gift that falls under one of more than twenty **exceptions**. A list of exceptions most likely to be of relevance to the CSU is summarized below. It goes without saying that members of Congress and staff should never solicit a gift, nor should there ever be a link between any gift and any official action taken by a member or staff.

Examples of Permitted Gifts

Items paid for by the federal, state or local government. This exception applies to gifts, including travel, paid for by a state university, without regard to cost. The items must be directly paid for by the CSU and not an auxiliary organization or third party. The exception does not apply to gifts donated to the CSU by a third party, where the CSU is merely acting as a conduit. It also does not apply to meals or other gifts paid for by any third party, where the cost will ultimately be reimbursed by the CSU.

Any item of nominal value. Items worth less than \$10 are excepted. T-shirts, baseball caps and greeting cards are excepted, even if worth more than \$10.

Commemorative gifts. Plaques and trophies, if presented at an event and inscribed, are excepted.

Informational materials. Books, periodicals, videotapes, and DVDs are excepted.

Honorary degrees. Honorary degrees are excepted.

Gifts based on personal friendship. Gifts based on friendship are excepted. Anything over \$250 in value requires prior written permission from the House Standards committee.

Gifts from relatives. Gifts from relatives, including in-laws, are excepted.

Examples of Permitted Events

Receptions. Food and refreshments of a nominal value, which are **not** part of a meal, are excepted – e.g., stand up hors d’oeuvres and drinks at an evening reception.

“Widely attended” events. Events that have: (1) at least 25 non-Congressional attendees and are open to public or to a wide range of individuals; (2) an invitation that comes from the event sponsor; and (3) a connection to the member or staff’s official House duties are excepted, including meals.

Educational Events. Smaller events designed to be educational (e.g., lectures, seminars and discussions) that are sponsored by universities, foundations, think tanks, etc. are excepted.

Q: Where can I find the full text of the House and Senate rules relating to gifts and travel?

A: The House rules and detailed discussion can be found on the web site of the House Committee on Ethics: <http://ethics.house.gov/gifts>. Senate rules and discussion can be found on the site of the Senate’s Select Committee on Ethics: <http://ethics.senate.gov/public/index.cfm/gifts>. While similar, House and Senate rules in this area are not identical.