

Special Report: Gift and Travel Rules for Lobbyists

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Press reports in Washington and elsewhere have been replete with stories about travel taken by members of Congress that is paid for by non-governmental entities. As a general matter, privately sponsored travel by members of Congress for officially-related purposes is permissible but is subject to a variety of rules regarding the specific parameters of the travel.

There is, however, a clear prohibition on travel that is sponsored by a registered lobbyist, a lobbying firm, or an agent of a foreign principal (e.g., a lobbyist for a foreign government or foreign political party). This prohibition applies even if the lobbyist, lobbying firm, or agent of a foreign principal is to be later reimbursed by a non-lobbyist client. A non-lobbyist client may, nonetheless, pay for the expenses directly assuming the travel is otherwise permissible.

The Congressional gift rules contain other lobbyist-specific prohibitions, including:

- Gifts to an entity that is maintained or controlled by a Member of Congress.
- Charitable donations made at the direction or recommendation of a Member of Congress.
- Contributions to a legal defense fund of a Member of Congress.
- Financial contributions relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of a Member of Congress.

Authors

Carol A. Laham
Partner
202.719.7301
claham@wiley.law

- Gifts of personal hospitality to a Member of Congress.

Lobbyists and their clients should be aware of these rules to minimize the risk of negative press and possible penalties directed toward their friends in Congress and themselves. Additional details about the lobbyist gift prohibition and other Congressional gift rules can be found at the Congressional ethics committees at www.ethics.senate.gov and www.house.gov/ethics.