

Sponsoring events during the upcoming Democratic and Republican national conventions

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Recently the House and Senate Ethics Committees issued updated guidance for Members of Congress, Congressional staff, and outside groups to follow in conjunction with events being sponsored during the Republican National Convention in Cleveland and the Democratic National Convention in Philadelphia.

The Guidance reiterates that existing Congressional rules governing the receipt of gifts and travel by federal legislators and staff continue to apply to activities at the national political conventions. The guidance also confirms that the various exceptions to the House and Senate Gift Rules also apply to events sponsored during the national party events.

When planning or sponsoring national party convention events, organizations should be mindful of the following **key exceptions** to the House and Senate's general prohibition on the acceptance of gifts by Members and staff:

- ***Widely-attended events at the invitation of the event sponsor***

This exception applies to events such as breakfasts and luncheons, conferences, forums and panel discussions held during the conventions where, in addition to congressional members and/or staff, at least 25 attendees from a given industry or sector are in attendance. Such events may include meals provided in a group setting. Attendance by Congressional participants should be reasonably related to their official duties. Invitations must be extended to covered officials by the official host of the event, not by a corporation that might simply have bought a table at the event. Purely recreational events, such as a concert or a golf outing, do not fall within the "widely attended event" exception.

- ***Gifts provided to Members of Congress and staff by a federal, state or local government entity.*** This includes the host city.
- ***Nominal food and beverages provided outside of a meal setting, such as a cocktail reception with a reasonable amount of food.*** Such events are not required to meet the standards for a "widely attended event."
- ***Free attendance at a charity event at the invitation of the event sponsor.*** This includes food, refreshments and entertainment that are a part of the event.
- ***Free attendance at a political event, such as a fundraiser or other campaign event, that is organized by a candidate's campaign committee, political party or PAC.***
- ***Nominal gifts, such as a t-shirt or baseball cap of reasonable value, or other non-food items with an aggregate value of \$10 or less.***
- **Gifts of less than \$50 in value (\$100 annual gift limit) from entities or individuals other than lobbyists or entities that employ or retain lobbyists**

Despite these well-established exceptions, entities organizing or sponsoring convention events in Philadelphia and

Cleveland should be aware that House and Senate guidelines place specific restrictions on the manner in which Members of Congress may be recognized during national political party conventions. It is prohibited for a lobbyist, a registered entity employing a lobbyist, or a registered entity retaining a lobbying firm to pay for an event **during the dates of the conventions** that "honors" a Member of Congress. This prohibition applies to Members of both the House and Senate with some minor differences as follows:

Prohibited Events

- **Convention events honoring members of the House in invitations, promotional materials or publicity materials.** It is impermissible for a convention event to honor a House Member by name, personal title, or leadership role, or to reference such a Member as a "special guest" or speaker in any invitations, promotional materials, or convention publicity.
- **Convention events providing House members special benefits or opportunities, including exclusive speaking roles or prominent ceremonial roles.** It is impermissible for a convention event to allow participation by Members of the House where they receive, through participation in the event, some special benefit or opportunity that would not be available to other participants. Such special benefits include offering Members an exclusive speaking role, a prominent ceremonial role, or an invited speaker role at such an event.
- **Convention events honoring Senators** – It is impermissible for a convention event organizer to honor a Senator or group of Senators, by name or title, in the invitation or program for the gathering. This prohibition **does not**, however, prevent the hosting of an event where a Senator is a featured speaker, provided he or she is not the only speaker at the event and the event was not designed and billed primarily to recognize the work of the senator.
- **Recreational events sponsored by lobbying organizations that provide Members of Congress and staff with free attendance.** However, such an event would be permissible if members and staff were required to pay market value to attend.

Acceptable Events

- **Convention events honoring political groups or groups of members.** Members of Congress may typically attend events organized to honor convention delegations and congressional committees and caucuses—so long as they do not name any specific member of a delegation, committee or caucus, or provide any special benefit or opportunity to a particular member.
- **Convention events where members are part of a "honorary host committee" that includes non-elected officials.** Members of Congress may attend and be listed on the honorary host committee for events held during the national conventions so long as such host committees also include individuals who are not Members of Congress.
- **Honoring events held immediately prior to or following the days of the convention.** Members of Congress are permitted to attend events right before or right after the days of the national conventions, assuming such events comply with standard Congressional rules.

For specific advice and guidance on the ethics rules in regard to sponsorship of events during the upcoming national political conventions, please contact the Dentons' Political Law team. Members of our bipartisan team of election law and government ethics experts are available to help organizations advance their advocacy and relationship-building goals in Philadelphia and Cleveland while remaining fully compliant with federal ethics guidelines.

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