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RULE XLI

POLITICAL FUND ACTIVITY; DEFINITIONS

41.1 1. No officer or employee of the Senate may receive, solicit, be a custodian of, or distribute any funds in connection with any campaign for the nomination for election, or the election, of any individual to be a Member of the Senate or to any other Federal office. This prohibition does not apply to three[86] assistants to a Senator, at least one of whom is in Washington, District of Columbia, who have been designated by that Senator to perform any of the functions described in the first sentence of this paragraph and who are compensated at an annual rate in excess of $10,000 if such designation has been made in writing and filed with the Secretary of the Senate and if each such assistant files a financial statement in the form provided under rule XXXIV for each year during which he is designated under this rule. The Majority Leader and the Minority Leader may each designate an employee of their respective leadership office staff as one of the 3 designees referred to in the second sentence.[87] The Secretary of the Senate shall make the designation available for public inspection.

41.2 2. For purposes of the Senate Code of Official Conduct—

41.2a (a) an employee of the Senate includes any employee whose salary is disbursed by the Secretary of the Senate; and

41.2b (b) the compensation of an officer or employee of the Senate who is a reemployed annuitant shall include amounts received by such officer or employee as an annuity, and such amounts shall be treated as disbursed by the Secretary of the Senate.

41.3 3. Before approving the utilization by any committee of the Senate of the services of an officer or employee of the Government in accordance with paragraph 4[88] of rule XXVII or with an authorization provided by Senate resolution, the Committee on Rules and Administration shall require such officer or employee to agree in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. Any such officer or employee shall, for purposes of such

[86] As amended by S. Res. 258, 100–1, Oct. 1, 1987.
[87] Pursuant to S. Res. 236, 101–2, Jan. 30, 1990.
[88] Reference corrected by S. Res. 192, 102–1, Oct. 31, 1991.

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Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation he is receiving as an officer or employee of the Government.

4. No Member, officer, or employee of the Senate shall utilize the full-time services of an individual for more than ninety days in a calendar year in the conduct of official duties of any committee or office of the Senate (including a Member's office) unless such individual— 41.4

(a) is an officer or employee of the Senate, 41.4a

(b) is an officer or employee of the Government (other than the Senate), or 41.4b

(c) agrees in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. 41.4c

Any individual to whom subparagraph (c) applies shall, for purposes of such Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation which such individual is receiving from any source for performing such services.

5. In exceptional circumstances for good cause shown, the Select Committee on Ethics may waive the applicability of any provision of the Senate Code of Official Conduct to an employee hired on a per diem basis. 41.5

6. (a) The supervisor of an individual who performs services for any Member, committee, or office of the Senate for a period in excess of four weeks and who receives compensation therefor from any source other than the United States Government shall report to the Select Committee on Ethics with respect to the utilization of the services of such individual. 41.6a

(b) A report under subparagraph (a) shall be made with respect to an individual— 41.6b

(1) when such individual begins performing services described in such subparagraph;

(2) at the close of each calendar quarter while such individual is performing such services; and

(3) when such individual ceases to perform such services. Each such report shall include the identity of the source of the compensation received by such individual and the amount or rate of compensation paid by such source.

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41.6c (c) No report shall be required under subparagraph (a) with respect to an individual who normally performs services for a Member, committee, or office for less than eight hours a week.

41.6d (d) For purposes of this paragraph, the supervisor of an individual shall be determined under paragraph 12 of rule XXXVII.[89]

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RULE XLII

EMPLOYMENT PRACTICES

42.1 1. No Member, officer, or employee of the Senate shall, with respect to employment by the Senate or any office thereof—

42.1a (a) fail or refuse to hire an individual;

42.1b (b) discharge an individual; or

42.1c (c) otherwise discriminate against an individual with respect to promotion, compensation, or terms, conditions, or privileges of employment

on the basis of such individual's race, color, religion, sex, national origin, age, or state of physical handicap.

42.2 2.[90] For purposes of this rule, the provisions of section 509(a) of the Americans With Disabilities Act of 1990 shall be deemed to be a rule of the Senate as it pertains to Members, officers, and employees of the Senate.

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RULE XLIII

REPRESENTATION BY MEMBERS[91]

43.1 1. In responding to petitions for assistance, a Member of the Senate, acting directly or through employees, has the right to assist petitioners before executive and independent government officials and agencies.

43.2 2. At the request of a petitioner, a Member of the Senate, or a Senate employee, may communicate with an executive or independent government official or agency on any matter to—

43.2a (a) request information or a status report;

[89] Redesignated pursuant to S. Res. 236, 101–2, Jan. 30, 1990 and S. Res. 299, 106–2, Apr. 27, 2000.

[90] Added by S. Res. 192, 102–1, Oct. 31, 1991, effective July 26, 1990. ADA was subsequently amended by the Government Employee Rights Act of 1991 (Title 3, Civil Rights Act of 1991, Pub. L. 102–166, codified at 2 U.S.C. 1301 et seq.). See Senate Manual Secs. **750, 751**.

[91] Rule established by S. Res. 273, 102–2, July 2, 1992.

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