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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]

42

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.

43

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. **733, 734**.

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

(b) urge prompt consideration; 43.2b

(c) arrange for interviews or appointments; 43.2c

(d) express judgments; 43.2d

(e) call for reconsideration of an administrative response which the Member believes is not reasonably supported by statutes, regulations or considerations of equity or public policy; or 43.2e

(f) perform any other service of a similar nature consistent with the provisions of this rule. 43.2f

3. The decision to provide assistance to petitioners may not be made on the basis of contributions or services, or promises of contributions or services, to the Member's political campaigns or to other organizations in which the Member has a political, personal, or financial interest. 43.3

4. A Member shall make a reasonable effort to assure that representations made in the Member's name by any Senate employee are accurate and conform to the Member's instructions and to this rule. 43.4

5. Nothing in this rule shall be construed to limit the authority of Members, and Senate employees, to perform legislative, including committee, responsibilities. 43.5

6.[92] No Member, with the intent to influence solely on the basis of partisan political affiliation an employment decision or employment practice of any private entity, shall— 43.6

(a) take or withhold, or offer or threaten to take or withhold, an official act; or 43.6a

(b) influence, or offer or threaten to influence the official act of another. 43.6b

RULE XLIV[93] 44

CONGRESSIONALLY DIRECTED SPENDING AND RELATED ITEMS

1. (a) It shall not be in order to vote on a motion to proceed to consider a bill or joint resolution reported by any committee unless the chairman of the committee of jurisdiction or the Majority Leader or his or her designee certifies— 44.1a

(1) that each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the bill or joint resolution, or in the committee report accompanying the bill or joint resolution, has been identified through lists, charts, or other similar means including the

[92] Paragraph 6 added pursuant to Pub. L. 110–81, Sep. 14, 2007.
[93] Rule XLIV added pursuant to Pub. L. 110–81, Sep. 14, 2007.