

Section 216, R.S. §120, made provision for examination of witnesses through device of taking their depositions before a qualified officer.

Section 217, R.S. §121, provided that testimony to be taken by either party be confined to proof or disproof of facts alleged or denied in notice and answer.

Section 218, R.S. §122, required officer to reduce to writing testimony of witnesses, together with questions proposed by parties, and have this writing duly attested by witnesses.

Section 219, R.S. §123, empowered officer to require production of papers.

Section 220, R.S. §124, provided that taking of testimony might, if so stated in notice, be adjourned from day to day.

Section 221, R.S. §125, provided that notice to take depositions, with proof of service thereof, and a copy of the subpoena, where one has been served, be attached to depositions when completed.

Section 222, R.S. §126, provided that a copy of notice of contest and of answer of returned member, be prefixed to depositions taken and transmitted with them to Clerk of House of Representatives.

Section 223, R.S. §127; Mar. 2, 1875, ch. 119, §1, 18 Stat. 338; Mar. 2, 1887, ch. 318, 24 Stat. 445, covered procedure followed by Clerk of House of Representatives once the sealed testimony was forwarded to him by officer who took testimony.

Section 224, R.S. §128, fixed witness fees to be paid by party at whose instance witness was summoned.

Section 225, R.S. §129, provided that each officer employed pursuant to this chapter be entitled to receive from party who employed him, such fees as were allowed for similar services in State wherein such service was rendered.

Section 226, R.S. §130; Mar. 3, 1879, ch. 182, §1, 20 Stat. 400, limited payments of expenses to contestee or contestant to \$2,000, and then, only upon filing of a detailed account of expenses with Clerk of Committee on Elections.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to any general or special election for Representative in, or Resident Commissioner to, the Congress of the United States occurring after December 5, 1969, see section 19 of Pub. L. 91-138, set out as an Effective Date note under section 381 of this title.

**CHAPTER 8—FEDERAL CORRUPT PRACTICES**

**§§ 241 to 248. Repealed. Pub. L. 92-225, title IV, § 405, Feb. 7, 1972, 86 Stat. 20**

Sections, act Feb. 28, 1925, ch. 368, title III, §§302-309, 43 Stat. 1070-1073, provided for:

Section 241, amended Dec. 23, 1971, Pub. L. 92-220, §2, 85 Stat. 795, definitions;

Section 242, chairman and treasurer of political committees, duties as to contributions, and accounts and receipts;

Section 243, accounts of contributions received;

Section 244, statements by treasurer filed with Clerk of House of Representatives;

Section 245, statements by others than political committee filed with Clerk of House of Representatives;

Section 246, statements by candidates for Senator, Representative, Delegate, or Resident Commissioner filed with Secretary of Senate and Clerk of House of Representatives;

Section 247, statements: verification, preservation, and inspection; and

Section 248, limitation upon amount of expenditures by candidate.

Such former provisions are covered generally by chapter 14 (§431 et seq.) of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 60 days after Feb. 7, 1972, see section 408 of Pub. L. 92-225, set out as an Effective Date note under section 431 of this title.

**§§ 249 to 251. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948**

Section 249, act Feb. 28, 1925, ch. 368, title III, §310, 43 Stat. 1073, related to promises or pledges by candidates. See section 599 of Title 18, Crimes and Criminal Procedure.

Section 250, act Feb. 28, 1925, ch. 368, title III, §311, 43 Stat. 1073, related to expenditures to influence voting. See section 597 of Title 18.

Section 251, acts Feb. 28, 1925, ch. 368, title III, §313, 43 Stat. 1074; June 25, 1943, ch. 144, §9, 57 Stat. 167; June 23, 1947, ch. 120, title III, §304, 61 Stat. 159, related to political contributions by national banks, corporations, or labor unions. See section 441b of this title.

**§§ 252 to 256. Repealed. Pub. L. 92-225, title IV, § 405, Feb. 7, 1972, 86 Stat. 20**

Sections 252 to 255, act Feb. 28, 1925, ch. 368, title III, §§314-317, 43 Stat. 1074, provided for general penalties for violations, expenses of election contests, no effect on State laws, and partial invalidity.

Section 256, act Feb. 28, 1925, ch. 368, title III, §301, 43 Stat. 1070, provided for citation of act Feb. 28, 1925, as the "Federal Corrupt Practices Act".

Such former provisions are covered generally by chapter 14 (§431 et seq.) of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 60 days after Feb. 7, 1972, see section 408 of Pub. L. 92-225, set out as an Effective Date note under section 431 of this title.

**CHAPTER 8A—REGULATION OF LOBBYING**

Sec.	
261.	Definitions.
262.	Detailed accounts of contributions; retention of receipted bills of expenditures.
263.	Receipts for contributions.
264.	Statements of accounts filed with Clerk of House.
265.	Preservation of statements.
266.	Persons to whom chapter is applicable.
267.	Registration of lobbyists with Secretary of Senate and Clerk of House; compilation of information.
268.	Reports and statements under oath.
269.	Penalties and prohibitions.
270.	Exemptions from chapter.

CROSS REFERENCES

Hatch Political Activity Act which restrains pernicious political activity, see sections 594, 595, 598, 600, 601, 604, 605, and 1918 of Title 18, Crimes and Criminal Procedure, and sections 1501 et seq. and 7323 et seq. of Title 5, Government Organization and Employees.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 352 of this title.

**§ 261. Definitions**

When used in this chapter—

(a) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term “Clerk” means the Clerk of the House of Representatives of the United States.

(e) The term “legislation” means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House.

(Aug. 2, 1946, ch. 753, title III, §302, 60 Stat. 839.)

#### SHORT TITLE

Section 301 of title III of act Aug. 2, 1946, provided that: “This title [enacting this chapter] may be cited as the ‘Federal Regulation of Lobbying Act.’”

#### AUTHORIZATION OF APPROPRIATIONS

Section 244 of act Aug. 2, 1946, provided in part: “All necessary funds required to carry out the provisions of this Act [Legislative Reorganization Act of 1946, see Short Title note set out under section 72a of this title for classification], by the Secretary of the Senate and the Clerk of the House, are hereby authorized to be appropriated.”

[Section 244 was made effective as of Aug. 2, 1946, by section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.]

### § 262. Detailed accounts of contributions; retention of receipted bills of expenditures

(a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of—

(1) all contributions of any amount or of any value whatsoever;

(2) the name and address of every person making any such contribution of \$500 or more and the date thereof;

(3) all expenditures made by or on behalf of such organization or fund; and

(4) the name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill, stating the particulars, for every expenditure of such funds exceeding \$10 in amount, and to preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

(Aug. 2, 1946, ch. 753, title III, §303, 60 Stat. 840.)

### § 263. Receipts for contributions

Every individual who receives a contribution of \$500 or more for any of the purposes hereinafter designated shall within five days after receipt thereof rendered<sup>1</sup> to the person or organization for which such contribution was received a detailed account thereof, including the name and address of the person making such contribution and the date on which received.

(Aug. 2, 1946, ch. 753, title III, §304, 60 Stat. 840.)

### § 264. Statements of accounts filed with Clerk of House

(a) Every person receiving any contributions or expending any money for the purposes des-

ignated in subparagraph (a) or (b) of section 266 of this title shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

(1) the name and address of each person who has made a contribution of \$500 or more not mentioned in the preceding report; except that the first report filed pursuant to this chapter shall contain the name and address of each person who has made any contribution of \$500 or more to such person since August 2, 1946;

(2) the total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (1) of this subsection;

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) the total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4) of this subsection;

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(Aug. 2, 1946, ch. 753, title III, §305, 60 Stat. 840.)

### § 265. Preservation of statements

A statement required by this chapter to be filed with the Clerk—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk of the House of Representatives of the United States, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk of its nonreceipt;

(b) shall be preserved by the Clerk for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection.

(Aug. 2, 1946, ch. 753, title III, §306, 60 Stat. 841.)

### § 266. Persons to whom chapter is applicable

The provisions of this chapter shall apply to any person (except a political committee as defined in the Federal Corrupt Practices Act, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

<sup>1</sup> So in original. Probably should be “render”.

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States.

(Aug. 2, 1946, ch. 753, title III, §307, 60 Stat. 841.)

#### REFERENCES IN TEXT

The Federal Corrupt Practices Act, referred to in text, is act Feb. 28, 1925, ch. 368, title III, §§301-317, 43 Stat. 1070, as amended, which was classified generally to chapter 8 (§241 et seq.) of this title, was repealed by acts June 25, 1948, ch. 645, §21, 62 Stat. 862, and Feb. 7, 1972, Pub. L. 92-225, title IV, §405, 86 Stat. 20, and is covered generally by chapter 14 (§431 et seq.) of this title. For further details and for complete classification of this Act to the Code prior to its repeal, see notes set out under section 241 et seq. of this title and Tables.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 264 of this title.

### § 267. Registration of lobbyists with Secretary of Senate and Clerk of House; compilation of information

(a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

(Aug. 2, 1946, ch. 753, title III, §308, 60 Stat. 841.)

### § 268. Reports and statements under oath

All reports and statements required under this chapter shall be made under oath, before an officer authorized by law to administer oaths.

(Aug. 2, 1946, ch. 753, title III, §309, 60 Stat. 842.)

### § 269. Penalties and prohibitions

(a) Any person who violates any of the provisions of this chapter, shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than \$5,000 or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a) of this section, any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than \$10,000, or imprisonment for not more than five years, or by both such fine and imprisonment.

(Aug. 2, 1946, ch. 753, title III, §310, 60 Stat. 842.)

### § 270. Exemptions from chapter

The provisions of this chapter shall not apply to practices or activities regulated by the Federal Corrupt Practices Act nor be construed as repealing any portion of said Federal Corrupt Practices Act.

(Aug. 2, 1946, ch. 753, title III, §311, 60 Stat. 842.)

#### REFERENCES IN TEXT

The Federal Corrupt Practices Act, referred to in text, is act Feb. 28, 1925, ch. 368, title III, §§301-317, 43 Stat. 1070, as amended, which was classified generally to chapter 8 (§241 et seq.) of this title, was repealed by acts June 25, 1948, ch. 645, §21, 62 Stat. 862, and Feb. 7, 1972, Pub. L. 92-225, title IV, §405, 86 Stat. 20, and is covered generally by chapter 14 (§431 et seq.) of this title. For further details and for complete classification of this Act to the Code prior to its repeal, see notes set out under section 241 et seq. of this title and Tables.

## CHAPTER 9—OFFICE OF LEGISLATIVE COUNSEL

### SUBCHAPTER I—SENATE

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271.	Establishment.
272.	Legislative Counsel.
273.	Compensation.
274.	Staff; office equipment and supplies.