

any gift or gifts having an aggregate value exceeding \$100 during a calendar year directly or indirectly from any person, organization, or corporation having a direct interest in legislation before the Congress or from any foreign national unless, in an unusual case, a waiver is granted by the Select Committee on Ethics."

Subsec. (a)(2). Pub. L. 102-90, §314(c)(2), (4), redesignated par. (5) as (2) and, in subpar. (B), substituted "\$100 or less, as adjusted under section 102(a)(2)(A) of the Ethics in Government Act of 1978" for "less than \$75". Former par. (2) redesignated (1).

Subsec. (a)(3). Pub. L. 102-90, §314(c)(5), redesignated subpars. (B) and (C) as (A) and (B), respectively, and struck out former subpar. (A) which read as follows: "the term 'foreign national' means a person acting directly or indirectly on behalf of a foreign corporation, partnership, or business enterprise, a foreign trade, cultural, educational, or other association, a foreign political party, or a foreign government;"

Pub. L. 102-90, §314(c)(1), (2), redesignated par. (6) as (3) and struck out former par. (3) which read as follows: "In determining the aggregate value of any gift or gifts accepted by an individual during a calendar year from any person, organization, or corporation, there may be deducted the aggregate value of gifts (other than gifts described in paragraph (5)) given by such individual to such person, organization, or corporation during that calendar year."

Subsec. (a)(4). Pub. L. 102-90, §314(c)(1), (2), redesignated par. (7) as (4) and struck out former par. (4) which read as follows: "For purposes of this subsection, only the following shall be deemed to have a direct interest in legislation before the Congress:

"(A) a person, organization, or corporation registered under the Federal Regulation of Lobbying Act of 1946, or any successor statute, a person who is an officer or director of such a registered lobbyist, or a person who has been employed or retained by such a registered lobbyist for the purpose of influencing legislation before the Congress; or

"(B) a corporation, labor organization, or other organization which maintains a separate segregated fund for political purposes (within the meaning of section 441b of this title), a person who is an officer or director of such corporation, labor organization, or other organization, or a person who has been employed or retained by such corporation, labor organization, or other organization for the purpose of influencing legislation before the Congress."

Subsec. (a)(5) to (8). Pub. L. 102-90, §314(c)(2), redesignated pars. (5) to (8) as (2) to (5), respectively.

1990—Subsec. (a)(5)(D). Pub. L. 101-280, §8(1)(A), struck out subpar. (D) which read as follows: "from an individual who is a foreign national if that individual is not acting; directly or indirectly, on behalf of a foreign corporation, partnership or business enterprise, a foreign trade, cultural, educational or other association, a foreign political party or a foreign government."

Subsec. (a)(6)(A) to (C). Pub. L. 101-280, §8(1)(B), added subpar. (A) and redesignated former subpars. (A) and (B) as (B) and (C), respectively.

Subsec. (b). Pub. L. 101-280, §8(2), substituted "or child of such Member" for "of a Member" and struck out "(and 2 nights)" after "of 3 days" and "(and 6 nights)" after "or 7 days".

#### EFFECTIVE DATE OF 1991 AMENDMENT

Section 314(g) of Pub. L. 102-90, as amended by Pub. L. 102-378, §4(c), Oct. 2, 1992, 106 Stat. 1358, provided that:

"(1) The amendments made by subsections (b) through (f) [amending this section, section 505 of the Ethics in Government Act of 1978, Pub. L. 95-521, set out in the Appendix to Title 5, Government Organization and Employees, and section 7701 of Title 26, Internal Revenue Code] shall take effect on January 1, 1992.

"(2) The amendment made by subsection (a) [amending section 102 of the Ethics in Government Act of 1978, Pub. L. 95-521, set out in the Appendix to Title 5] shall take effect on January 1, 1993."

[Amendment by Pub. L. 102-378 to section 314(g) of Pub. L. 102-90, set out above, effective Dec. 31, 1991, see section 9(b)(1) of Pub. L. 102-378, set out as an Effective Date of 1992 Amendment note under section 6303 of Title 5.]

#### § 31a. Repealed. Mar. 2, 1955, ch. 9, § 4(b), 69 Stat. 11, eff. Mar. 1, 1955

Section, acts Aug. 2, 1946, ch. 753, title VI, §601(b), 60 Stat. 850; Oct. 20, 1951, ch. 521, title VI, §619(d), 65 Stat. 570, related to expense allowance for Senators, Representatives, Delegates, and Resident Commissioner.

#### § 31a-1. Expense allowance of Majority and Minority Leaders of Senate; expense allowance of Majority and Minority Whips; methods of payment; taxability

Effective fiscal year 1978 and each fiscal year thereafter, the expense allowances of the Majority and Minority Leaders of the Senate are increased to \$10,000 each fiscal year for each leader: *Provided*, That, effective with the fiscal year 1983 and each fiscal year thereafter, the expense allowance of the Majority and Minority Whips of the Senate shall not exceed \$5,000 each fiscal year for each Whip: *Provided further*, That, during the period beginning on January 3, 1977, and ending September 30, 1977, and during each fiscal year thereafter, the Vice President, the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip may receive the expense allowance (a) as reimbursement for actual expenses incurred upon certification and documentation of such expenses by the Vice President, the respective Leader or the respective Whip, or (b) in equal monthly payments: *Provided further*, That effective January 3, 1977, the amounts paid to the Vice President, the Majority or Minority Leader of the Senate, or the Majority or Minority Whip of the Senate as reimbursement of actual expenses incurred upon certification and documentation pursuant to the second proviso of this section shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction, under title 26.

(Pub. L. 95-26, title I, May 4, 1977, 91 Stat. 79; Pub. L. 95-94, title I, §109, Aug. 5, 1977, 91 Stat. 661; Pub. L. 95-355, title I, Sept. 8, 1978, 92 Stat. 532; Pub. L. 98-63, title I, §101, July 30, 1983, 97 Stat. 333; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

#### CODIFICATION

Section is based on the three provisos in paragraph under heading "Expense Allowances of the Vice President, Majority and Minority Leaders and Majority and Minority Whips" in the appropriation for the Senate in the Supplemental Appropriations Act, 1977 (Pub. L. 95-26), and section 109 of the Congressional Operations Appropriation Act, 1978, which is title I of the Legislative Branch Appropriation Act, 1978 (Pub. L. 95-94), and subsequent acts cited in the credits to this section.

#### AMENDMENTS

1986—Pub. L. 99-514 substituted "Internal Revenue Code of 1986" for "Internal Revenue Code of 1954", which for purposes of codification was translated as "title 26" thus requiring no change in text.

1983—Pub. L. 98-63 substituted provisions increasing allowances for each Whip to \$5,000 each fiscal year, effective fiscal year 1983 and each fiscal year thereafter, for provisions authorizing not to exceed \$2,500 each fiscal year for each Whip, effective Apr. 1, 1977.