

(4) The Secretary is authorized to issue rules and regulations he considers appropriate in carrying out this subsection.

(d) Time or times of agreements by Secretary

The Secretary may enter into agreements under subsection (a) of this section at such time or times as he considers appropriate.

(e) Provisions as not imposing duty, burden, requirement or penalty on United States, Senate, or any officer or employee of United States; effect of filing paper, form, or document with Secretary

This section imposes no duty, burden, or requirement upon the United States, the Senate, or any officer or employee of the United States, except as specifically provided in this section. Nothing in this section shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, the Senate, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section. Any paper, form, or document filed with the Secretary under this section is a paper of the Senate within the provisions of rule XXX of the Standing Rules of the Senate.

(f) "State" defined

For the purposes of this section, "State" means any of the States of the United States and the District of Columbia.

(Pub. L. 93-371, § 2, Aug. 13, 1974, 88 Stat. 427.)

REFERENCES IN TEXT

The Standing Rules of the Senate, referred to in subsec. (e), were revised in 1979 and 2000. Provisions relating to withdrawal of papers from the files of the Senate which were formerly contained in Rule XXX of the Standing Rules of the Senate are contained in Rule XI of the Standing Rules of the Senate.

CODIFICATION

Section was formerly classified to section 60c-3 of this title prior to editorial reclassification and renumbering as this section.

§ 4595. Payment for unaccrued leave

(a) In general

The Financial Clerk of the Senate is authorized to accept from an individual whose pay is disbursed by the Secretary of¹ Senate a payment representing pay for any period of unaccrued annual leave used by that individual, as certified by the head of the employing office of the individual making the payment.

(b) Withholding

The Financial Clerk of the Senate is authorized to withhold the amount referred to in subsection (a) from any amount which is disbursed by the Secretary of the Senate and which is due to or on behalf of the individual described in subsection (a).

(c) Deposit

Any payment accepted under this section shall be deposited in the general fund of the Treasury as miscellaneous receipts.

¹ So in original. Probably should be followed by "the".

(d) "Head of the employing office" defined

As used in this section, the term "head of the employing office" means any person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an individual whose pay is disbursed by the Secretary of the Senate.

(e) Applicability

This section shall apply to fiscal year 1996 and each fiscal year thereafter.

(Pub. L. 104-197, title I, § 9, Sept. 16, 1996, 110 Stat. 2398.)

CODIFICATION

Section was formerly classified to section 60p of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1997, which is title I of the Legislative Branch Appropriations Act, 1997.

CHAPTER 47—CONGRESSIONAL ETHICS

SUBCHAPTER I—GENERAL

Sec.

4701. Subletting duties of employees of Senate or House.
4702. Notification of post-employment restrictions for Members of Congress and employees.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

4711. Committee on Standards of Official Conduct of House of Representatives.
4712. Posting of travel and financial disclosure reports on public website of Clerk of the House of Representatives.
4713. Reporting payments made to witnesses before Committee on Standards of Official Conduct.

SUBCHAPTER III—SENATE

4721. Referral of ethics violations by Senate Ethics Committee to Government Accountability Office for investigation.
4722. Mandatory Senate ethics training for Members and staff.
4723. Annual report by Select Committee on Ethics.
4724. Amendment to Senate conflict of interest rule.
4725. Gifts and travel.
4726. Guidelines relating to restrictions on registered lobbyist participation in travel and disclosure.
4727. Senate privately paid travel public website.
4728. Notification of post-employment restrictions for Senators and employees.

SUBCHAPTER I—GENERAL

§ 4701. Subletting duties of employees of Senate or House

No employee of Congress, either in the Senate or House, shall sublet to, or hire, another to do or perform any part of the duties or work attached to the position to which he was appointed.

(Mar. 2, 1895, ch. 177, § 1, 28 Stat. 771.)

CODIFICATION

Section was formerly classified to section 101 of this title prior to editorial reclassification and renumbering as this section.

§ 4702. Notification of post-employment restrictions for Members of Congress and employees

(a) Notification of post-employment restrictions

After a Member of Congress or an elected officer of either House of Congress leaves office, or after the termination of employment with the House of Representatives or the Senate of an employee who is covered under paragraph (2), (3), (4), or (5) of section 207(e) of title 18, the Clerk of the House of Representatives, after consultation with the Committee on Standards of Official Conduct, or the Secretary of the Senate, as the case may be, shall notify the Member, officer, or employee of the beginning and ending date of the prohibitions that apply to the Member, officer, or employee under section 207(e) of that title.

(b) Posting on Internet

The Clerk of the House of Representatives, with respect to notifications under subsection (a) relating to Members, officers, and employees of the House, and the Secretary of the Senate, with respect to such notifications relating to Members, officers, and employees of the Senate, shall post the information contained in such notifications on the public Internet site of the Office of the Clerk or the Secretary of the Senate, as the case may be, in a format that, to the extent technically practicable, is searchable, sortable, and downloadable.

(Pub. L. 110-81, title I, §103, Sept. 14, 2007, 121 Stat. 739.)

CODIFICATION

Section was formerly classified to section 104d of this title prior to editorial reclassification and renumbering as this section.

CHANGE OF NAME

Committee on Standards of Official Conduct of House of Representatives changed to Committee on Ethics of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

EFFECTIVE DATE

Pub. L. 110-81, title I, §105(c), Sept. 14, 2007, 121 Stat. 741, provided that:

“(1) NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS.—Subsection (a) of section 103 [2 U.S.C. 4702(a)] shall take effect on the 60th day after the date of the enactment of this Act [Sept. 14, 2007].

“(2) POSTING OF INFORMATION.—Subsection (b) of section 103 [2 U.S.C. 4702(b)] shall take effect January 1, 2008, except that the Secretary of the Senate and the Clerk of the House of Representatives shall post the information contained in notifications required by that subsection that are made on or after the effective date provided under paragraph (1) of this subsection.”

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

§ 4711. Committee on Standards of Official Conduct of House of Representatives

(a) Omitted

(b) Committee composition

The respective party caucus or conference of the House of Representatives shall each nominate to the House of Representatives at the be-

ginning of each Congress 7 members to serve on the Committee on Standards of Official Conduct.

(c) Investigative subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

(1) for the establishment of a 4 or 6-member investigative subcommittee (with equal representation from the majority and minority parties) whenever the committee votes to undertake any investigation;

(2) that the senior majority and minority members on an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee; and

(3) that the chairman and ranking minority member of the full committee may only serve as non-voting, ex officio members on an investigative subcommittee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any investigative subcommittee.

(d) Adjudicatory subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

(1) that upon the completion of an investigation, an investigative subcommittee shall report its findings and recommendations to the committee;

(2) that, if an investigative subcommittee by majority vote of its membership adopts a statement of alleged violation, the remaining members of the committee shall comprise an adjudicatory subcommittee to hold a disciplinary hearing on the violation alleged in the statement;

(3) that any statement of alleged violation and any written response thereto shall be made public at the first meeting or hearing on the matter which is open to the public after the respondent has been given full opportunity to respond to the statement in accordance with committee rules, but, if no public hearing or meeting is held on the matter, the statement of alleged violation and any written response thereto shall be included in the committee's final report to the House of Representatives as required by clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives;

(4) that a quorum for an adjudicatory subcommittee for the purpose of taking testimony and conducting any business shall consist of a majority of the membership of the subcommittee plus one; and

(5) that an adjudicatory subcommittee shall determine, after receiving evidence, whether the counts in the statement have been proved and shall report its findings to the committee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any adjudicatory subcommittee.

(e) to (h) Omitted

(i) Advice and education

(1) The Committee on Standards of Official Conduct shall establish within the committee an

¹ See References in Text note below.

Office on Advice and Education (hereinafter in this subsection referred to as the “Office”) under the supervision of the chairman.

(2) The Office shall be headed by a director who shall be appointed by the chairman, in consultation with the ranking minority member, and shall be comprised of such staff as the chairman determines is necessary to carry out the responsibilities of the Office.

(3) The primary responsibilities of the Office shall include:

(A) Providing information and guidance to Members, officers and employees of the House regarding any laws, rules, regulations, and other standards of conduct applicable to such individuals in their official capacities, and any interpretations and advisory opinions of the committee.

(B) Submitting to the chairman and ranking minority member of the committee any written request from any such Member, officer or employee for an interpretation of applicable laws, rules, regulations, or other standards of conduct, together with any recommendations thereon.

(C) Recommending to the committee for its consideration formal advisory opinions of general applicability.

(D) Developing and carrying out, subject to the approval of the chairman, periodic educational briefings for Members, officers and employees of the House on those laws, rules, regulations, or other standards of conduct applicable to them.

(4) No information provided to the Committee on Standards of Official Conduct by a Member, officer or employee of the House of Representatives when seeking advice regarding prospective conduct of such Member, officer or employee may be used as the basis for initiating an investigation under clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives, if such Member, officer or employee acts in accordance with the written advice of the committee.

(j) Effective date

This section shall take effect immediately before noon January 3, 1991, except that subsections (g), (h), and (i) shall take effect on January 1, 1990.

(Pub. L. 101–194, title VIII, § 803, Nov. 30, 1989, 103 Stat. 1774.)

REFERENCES IN TEXT

The Rules of the House of Representatives for the One Hundred Sixth Congress were adopted and amended generally by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Provisions formerly appearing in clause 5(d) of rule XI, referred to in subsecs. (c) and (d), are now contained in clause 6(d) of rule X. Provisions formerly appearing in clause 4(e)(1)(B) of rule X, referred to in subsecs. (d)(3) and (i)(4), are now contained in clause 3(a)(2) of rule XI.

CODIFICATION

Section was formerly classified to section 29d of this title prior to editorial reclassification and renumbering as this section.

Section is comprised of section 803 of Pub. L. 101–194. Subsecs. (a) and (e) to (h) of section 803 amended the Rules of the House of Representatives which are not classified to the Code.

CHANGE OF NAME

Committee on Standards of Official Conduct of House of Representatives changed to Committee on Ethics of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

ACCEPTANCE OF GIFTS; AMENDMENTS TO ADVISORY OPINIONS

Pub. L. 101–194, title VIII, § 801(e), Nov. 30, 1989, 103 Stat. 1772, provided that: “The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives shall amend its advisory opinions relating to the acceptance of gifts (1) to prohibit lodging received as personal hospitality in excess of 30 days in any calendar year from any individual unless a written waiver is granted by the committee and (2) to exempt gifts of food and beverages consumed not in connection with gifts of lodging from coverage under clause 4 of rule XLIII [now clause 4 of rule XXIII] of the Rules of the House of Representatives.”

NONCAMPAIGN USE OF CAMPAIGN VEHICLES

Pub. L. 101–194, title VIII, § 802(e), Nov. 30, 1989, 103 Stat. 1773, provided that: “The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives shall issue an advisory opinion to provide for appropriate conditions for the incidental noncampaign use of vehicles owned or leased by a campaign committee of a Member of the House of Representatives.”

RESTRICTIONS ON REIMBURSABLE TRAVEL EXPENSES

Pub. L. 101–194, title VIII, § 805, Nov. 30, 1989, 103 Stat. 1778, provided that:

“(a) RESTRICTIONS.—The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives shall amend its advisory opinions relating to the acceptance of necessary travel expenses incurred on or after January 1, 1990, in connection with speaking engagements and similar events to—

“(1) prohibit the acceptance of such expenses for more than 4 consecutive days in the case of domestic travel and 7 consecutive days (excluding travel days) in the case of foreign travel; and

“(2) permit the acceptance of travel expenses for the spouse or other family member in connection with any substantial participation event or fact-finding activity.

“(b) EXEMPTION AUTHORITY.—The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives is authorized to grant prior written exemptions from the limitations contained in subsection (a)(1) in exceptional circumstances.”

§ 4712. Posting of travel and financial disclosure reports on public website of Clerk of the House of Representatives

(a) Requiring posting on Internet

The Clerk of the House of Representatives shall post on the public Internet site of the Office of the Clerk, in a format that is searchable, sortable, and downloadable, to the extent technically practicable, each of the following:

(1) The advance authorizations, certifications, and disclosures filed with respect to transportation, lodging, and related expenses for travel under clause 5(b) of rule XXV of the Rules of the House of Representatives by Members (including Delegates and Resident Commissioners to the Congress), officers, and employees of the House.

(2) The reports filed under section 103(h)(1) of the Ethics in Government Act of 1978 by Mem-

bers of the House of Representatives (including Delegates and Resident Commissioners to the Congress).

(b) Applicability and timing

(1) Applicability

Subject to paragraph (2), subsection (a) shall apply with respect to information received by the Clerk of the House of Representatives on or after September 14, 2007.

(2) Timing

The Clerk of the House of Representatives shall—

(A) not later than August 1, 2008, post the information required by subsection (a) that the Clerk receives by June 1, 2008; and

(B) not later than the end of each 45-day period occurring after information is required to be posted under subparagraph (A), post the information required by subsection (a) that the Clerk has received since the last posting under this subsection.

(3) Omission of personally identifiable information

Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress) shall be permitted to omit personally identifiable information not required to be disclosed on the reports posted on the public Internet site under this section (such as home address, Social Security numbers, personal bank account numbers, home telephone, and names of children) prior to the posting of such reports on such public Internet site.

(4) Assistance in protecting personal information

The Clerk of the House of Representatives, in consultation with the Committee on Standards of Official Conduct, shall include in any informational materials concerning any disclosure that will be posted on the public Internet site under this section an explanation of the procedures for protecting personally identifiable information as described in this section.

(c) Retention

The Clerk shall maintain the information posted on the public Internet site of the Office of the Clerk under this section for a period of 6 years after receiving the information, or, in the case of reports filed under section 103(h)(1) of the Ethics in Government Act of 1978, until the expiration of the 6-year period which begins on the date the individual is no longer a Member of Congress.

(Pub. L. 110-81, title III, §304, Sept. 14, 2007, 121 Stat. 752; Pub. L. 112-105, §19(b)(1), Apr. 4, 2012, 126 Stat. 304.)

REFERENCES IN TEXT

Section 103(h)(1) of the Ethics in Government Act of 1978, referred to in subsecs. (a)(2) and (c), is section 103(h)(1) of Pub. L. 95-521, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 104e of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2012—Subsec. (c). Pub. L. 112-105 substituted “, or, in the case of reports filed under section 103(h)(1) of the Ethics in Government Act of 1978, until the expiration of the 6-year period which begins on the date the individual is no longer a Member of Congress.” for period at end.

CHANGE OF NAME

Committee on Standards of Official Conduct of House of Representatives changed to Committee on Ethics of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

EFFECTIVE DATE OF 2012 AMENDMENT

Pub. L. 112-105, §19(b)(2), Apr. 4, 2012, 126 Stat. 305, provided that: “The amendment made by paragraph (1) [amending this section] shall apply with respect to any report which is filed on or after the date on which the systems developed by the Secretary and Sergeant at Arms of the Senate and the Clerk of the House of Representatives under section 8(b) [of Pub. L. 112-105, set out as a note under section 105 of Pub. L. 95-521, in the Appendix to Title 5, Government Organization and Employees] first take effect.”

EXERCISE OF RULEMAKING AUTHORITY

Pub. L. 110-81, title III, §306, Sept. 14, 2007, 121 Stat. 754, provided that: “The provisions of this title [enacting this section] are adopted by the House of Representatives—

“(1) as an exercise of the rulemaking power of the House; and

“(2) with full recognition of the constitutional right of the House to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House.”

§4713. Reporting payments made to witnesses before Committee on Standards of Official Conduct

Notwithstanding any other provision of law or any other rule or regulation, any information on payments made by the Committee on Standards of Official Conduct of the House of Representatives to an individual for attendance as a witness before the Committee in executive session during a Congress shall be reported not later than the second semiannual report filed under section 5535 of this title in the following Congress.

(Pub. L. 105-275, title I, §105, Oct. 21, 1998, 112 Stat. 2439.)

CODIFICATION

Section was formerly classified as a note under section 104b of this title prior to editorial reclassification and renumbering as this section.

CHANGE OF NAME

Committee on Standards of Official Conduct of House of Representatives changed to Committee on Ethics of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

SUBCHAPTER III—SENATE

§4721. Referral of ethics violations by Senate Ethics Committee to Government Accountability Office for investigation

If the Committee on Ethics of the Senate determines that there is a reasonable basis to believe that a Member, officer, or employee of the Senate may have committed an ethics violation,

the committee may request the Office of Special Investigations of the Government Accountability Office to conduct factfinding and an investigation into the matter. The Office of Special Investigations shall promptly investigate the matter as directed by the committee.

(Pub. L. 101-194, title V, § 501, Nov. 30, 1989, 103 Stat. 1753; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

CODIFICATION

Section was formerly classified to section 72a-1g of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in section catchline and text.

§ 4722. Mandatory Senate ethics training for Members and staff

(a) Training program

The Select Committee on Ethics shall conduct ongoing ethics training and awareness programs for Members of the Senate and Senate staff.

(b) Requirements

The ethics training program conducted by the Select Committee on Ethics shall be completed by—

- (1) new Senators or staff not later than 60 days after commencing service or employment; and
- (2) Senators and Senate staff serving or employed on September 14, 2007, not later than 165 days after September 14, 2007.

(Pub. L. 110-81, title V, § 553, Sept. 14, 2007, 121 Stat. 773.)

CODIFICATION

Section was formerly classified to section 72a-1h of this title prior to editorial reclassification and renumbering as this section.

§ 4723. Annual report by Select Committee on Ethics

The Select Committee on Ethics of the Senate shall issue an annual report due no later than January 31, describing the following:

- (1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or staff of the committee.
- (2) A list of the number of alleged violations that were dismissed—
 - (A) for lack of subject matter jurisdiction or, in which, even if the allegations in the complaint are true, no violation of Senate rules would exist; or
 - (B) because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion.
- (3) The number of alleged violations in which the committee staff conducted a preliminary inquiry.
- (4) The number of alleged violations that resulted in an adjudicatory review.
- (5) The number of alleged violations that the committee dismissed for lack of substantial merit.

(6) The number of private letters of admonition or public letters of admonition issued.

(7) The number of matters resulting in a disciplinary sanction.

(8) Any other information deemed by the committee to be appropriate to describe its activities in the preceding year.

(Pub. L. 110-81, title V, § 554, Sept. 14, 2007, 121 Stat. 773.)

CODIFICATION

Section was formerly classified to section 72a-1i of this title prior to editorial reclassification and renumbering as this section.

§ 4724. Amendment to Senate conflict of interest rule

(a) Except as provided by subsection (b), any employee of the Senate who is required to file a report pursuant to Senate rules shall refrain from participating personally and substantially as an employee of the Senate in any contact with any agency of the executive or judicial branch of Government with respect to non-legislative matters affecting any non-governmental person in which the employee has a significant financial interest.

(b) Subsection (a) shall not apply if an employee first advises his supervisor of his significant financial interest and obtains from such supervisor a written waiver stating that the participation of the employee is necessary. A copy of each such waiver shall be filed with the Select Committee.

(Pub. L. 101-194, title IX, § 903, Nov. 30, 1989, 103 Stat. 1781.)

CODIFICATION

Section was formerly classified to section 60-2 of this title prior to editorial reclassification and renumbering as this section.

§ 4725. Gifts and travel

(a) Gifts

(1) No Member, officer, or employee of the Senate, or the spouse or dependent thereof, shall knowingly accept, directly or indirectly, any gift or gifts in any calendar year aggregating more than the minimal value as established by section 7342(a)(5) of title 5 or \$250, whichever is greater¹ from any person, organization, or corporation unless, in an unusual case, a waiver is granted by the Select Committee on Ethics.

(2) The prohibitions of this subsection do not apply to gifts—

- (A) from relatives;
- (B) with a value of \$100 or less, as adjusted under section 102(a)(2)(A) of the Ethics in Government Act of 1978; or
- (C) of personal hospitality of an individual.

(3) For purposes of this subsection—

(A) the term “gift” means a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, including food, lodging, transportation, or entertainment, and reimbursement for other than necessary expenses, unless consid-

¹ So in original. Probably should be followed by a comma.

eration of equal or greater value is received, but does not include (1) a political contribution otherwise reported as required by law, (2) a loan made in a commercially reasonable manner (including requirements that the loan be repaid and that a reasonable rate of interest be paid), (3) a bequest, inheritance, or other transfer at death, (4) a bona fide award presented in recognition of public service and available to the general public, (5) a reception at which the Member, officer, or employee is to be honored, provided such individual receives no other gifts that exceed the restrictions in this rule, other than a suitable memento, (6) meals or beverages consumed or enjoyed, provided the meals or beverages are not consumed or enjoyed in connection with a gift of overnight lodging, or (7) anything of value given to a spouse or dependent of a reporting individual by the employer of such spouse or dependent in recognition of the service provided by such spouse or dependent; and

(B) the term “relative” has the same meaning given to such term in section 107(2) of title I of the Ethics in Government Act of 1978 (Public Law 95-521).²

(4) If a Member, officer, or employee, after exercising reasonable diligence to obtain the information necessary to comply with this rule, unknowingly accepts a gift described in paragraph (1) such Member, officer, or employee shall, upon learning of the nature of the gift and its source, return the gift or, if it is not possible to return the gift, reimburse the donor for the value of the gift.

(5)(A) Notwithstanding the provisions of this subsection, a Member, officer, or employee of the Senate may participate in a program, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization if such participation is not in violation of any law and if the select³ Committee on Ethics has determined that participation in such program by Members, officers, or employees of the Senate is in the interests of the Senate and the United States.

(B) Any Member who accepts an invitation to participate in any such program shall notify the Select Committee in writing of his acceptance. A Member shall also notify the Select Committee in writing whenever he has permitted any officer or employee whom he supervises to participate in any such program. The chairman of the Select Committee shall place in the Congressional Record a list of all individuals,⁴ participating, the supervisors of such individuals where applicable;⁵ and the nature and itinerary of such program.

(C) No Member, officer, or employee may accept funds in connection with participation in a program permitted under subparagraph (A) if such funds are not used for necessary food, lodging, transportation, and related expenses of the Member, officer, or employee.

² See References in Text note below.

³ So in original. Probably should be capitalized.

⁴ So in original. The comma probably should not appear.

⁵ So in original. The semicolon probably should be a comma.

(b) Limits on domestic and foreign travel by Members and staff of Senate

The term “necessary expenses”, with respect to limits on domestic and foreign travel by Members and staff of the Senate, means reasonable expenses for food, lodging, or transportation which are incurred by a Member, officer, or employee of the Senate in connection with services provided to (or participation in an event sponsored by) the organization which provides reimbursement for such expenses or which provides the food, lodging, or transportation directly. Necessary expenses do not include the provision of food, lodging, or transportation, or the payment for such expenses, for a continuous period in excess of 3 days exclusive of travel time within the United States or 7 days exclusive of travel time outside of the United States unless such travel is approved by the Committee on Ethics as necessary for participation in a conference, seminar, meeting or similar matter. Necessary expenses do not include the provision of food, lodging, or transportation, or the payment for such expenses, for anyone accompanying a Member, officer, or employee of the Senate, other than the spouse or child of such Member, officer, or employee of the Senate or one Senate employee acting as an aide to a Member.

(Pub. L. 101-194, title IX, §901, Nov. 30, 1989, 103 Stat. 1778; Pub. L. 101-280, §8, May 4, 1990, 104 Stat. 162; Pub. L. 102-90, title III, §314(c), Aug. 14, 1991, 105 Stat. 470.)

REFERENCES IN TEXT

Section 102(a)(2)(A) of the Ethics in Government Act of 1978, referred to in subsec. (a)(2)(B), is section 102(a)(2)(A) of title I of Pub. L. 95-521. Section 102 was classified to section 702 of this title prior to the general amendment of title I of Pub. L. 95-521 by Pub. L. 101-194, title II, §202, Nov. 30, 1989, 103 Stat. 1724. Title I of Pub. L. 95-521, as so amended, is set out in the Appendix to Title 5, Government Organization and Employees.

Section 107(2) of title I of the Ethics in Government Act of 1978 (Public Law 95-521), referred to in subsec. (a)(3)(B), was classified to section 707(2) of this title prior to the general amendment of title I of Pub. L. 95-521 by Pub. L. 101-194, title II, §202, Nov. 30, 1989, 103 Stat. 1724. Title I of Pub. L. 95-521, as so amended, is set out in the Appendix to Title 5, and the definition of “relative” is contained in section 109(16) of Pub. L. 95-521.

CODIFICATION

Section was formerly classified to section 31-2 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1991—Subsec. (a)(1). Pub. L. 102-90, §314(c)(1)-(3), redesignated par. (2) as (1), substituted “in any calendar year aggregating more than the minimal value as established by section 7342(a)(5) of title 5 or \$250, whichever is greater” for “having an aggregate value exceeding \$300 during a calendar year”, and struck out former par. (1) which read as follows: “No Member, officer, or employee of the Senate, or the spouse or dependent thereof, shall knowingly accept, directly or indirectly, 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

Pub. L. 102-90, title III, §314(g), Aug. 14, 1991, 105 Stat. 470, 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.]

§ 4726. Guidelines relating to restrictions on registered lobbyist participation in travel and disclosure

(1) In general

Except as provided in paragraph (4) and not later than 60 days after September 14, 2007, and at annual intervals thereafter, the Select Committee on Ethics shall develop and revise, as necessary—

(A) guidelines, for purposes of implementing the amendments made by subsection (a),¹ on evaluating a trip proposal and judging the reasonableness of an expense or expenditure, including guidelines related to evaluating—

(i) the stated mission of the organization sponsoring the trip;

(ii) the organization’s prior history of sponsoring congressional trips, if any;

(iii) other educational activities performed by the organization besides sponsoring congressional trips;

(iv) whether any trips previously sponsored by the organization led to an investigation by the Select Committee on Ethics;

(v) whether the length of the trip and the itinerary is consistent with the official purpose of the trip;

(vi) whether there is an adequate connection between a trip and official duties;

(vii) the reasonableness of an amount spent by a sponsor of the trip;

(viii) whether there is a direct and immediate relationship between a source of funding and an event; and

(ix) any other factor deemed relevant by the Select Committee on Ethics; and

(B) regulations describing the information it will require individuals subject to the requirements of the amendments made by subsection (a)¹ to submit to the committee in order to obtain the prior approval of the committee for travel under paragraph 2 of rule XXXV of the Standing Rules of the Senate, including any required certifications.

(2) Consideration

In developing and revising guidelines under paragraph (1)(A), the committee shall take into account the maximum per diem rates for official Federal Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.

(3) Unreasonable expense

For purposes of this section, travel on a flight described in paragraph 1(c)(1)(C)(ii) of rule XXXV of the Standing Rules of the Senate shall not be considered to be a reasonable expense.

(4) Extension

The deadline for the initial guidelines required by paragraph (1) may be extended for 30 days by the Committee on Rules and Administration.

(Pub. L. 110-81, title V, §544(b), Sept. 14, 2007, 121 Stat. 769.)

REFERENCES IN TEXT

The amendments made by subsection (a), referred to in par. (1), mean the amendments made by subsec. (a)

¹ See References in Text note below.

of section 544 of Pub. L. 110–81 to paragraph 2 of rule XXXV of the Standing Rules of the Senate, which are not classified to the Code.

CODIFICATION

Section was formerly classified to section 31–3 of this title prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Pub. L. 110–81, title V, §544(f), Sept. 14, 2007, 121 Stat. 771, provided that: “The amendments made by subsections (a) [121 Stat. 767] and (b) [enacting this section] shall take effect 60 days after the date of enactment of this Act [Sept. 14, 2007] or the date the Select Committee on Ethics issues new guidelines as required by subsection (b), whichever is later. Subsection (c) [121 Stat. 770] shall take effect on the date of enactment of this Act.”

SEPARATELY REGULATED EXPENSES

Pub. L. 110–81, title V, §544(e), Sept. 14, 2007, 121 Stat. 771, provided that: “Nothing in this section [enacting this section and provisions set out as a note under this section] or section 541 [121 Stat. 766] is meant to alter treatment under law or Senate rules of expenses that are governed by the Foreign Gifts and Decorations Act [of 1966, 22 U.S.C. 2621 et seq.] or the Mutual Educational and Cultural Exchange Act [of 1961, 22 U.S.C. 2451 et seq.]”

§ 4727. Senate privately paid travel public website

(a) Travel disclosure

Not later than January 1, 2008, the Secretary of the Senate shall establish a publicly available website without fee or without access charge, that contains information on travel that is subject to disclosure under paragraph 2 of rule XXXV of the Standing Rules of the Senate, that includes, with respect to travel occurring on or after January 1, 2008—

- (1) a search engine;
- (2) uniform categorization by Member, dates of travel, and any other common categories associated with congressional travel; and
- (3) forms filed in the Senate relating to officially related travel.

(b) Retention

The Secretary of the Senate shall maintain the information posted on the public Internet site of the Office of the Secretary under this section for a period not longer than 4 years after receiving the information.

(c) Extension of authority

If the Secretary of the Senate is unable to meet the deadline established under subsection (a), the Committee on Rules and Administration of the Senate may grant an extension of the Secretary of the Senate.

(e)¹ Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section. (Pub. L. 110–81, title V, §546, Sept. 14, 2007, 121 Stat. 772.)

CODIFICATION

Section was formerly classified to section 104g of this title prior to editorial reclassification and renumbering as this section.

¹ So in original. No subsec. (d) has been enacted.

§ 4728. Notification of post-employment restrictions for Senators and employees

(a) In general

After a Senator or an elected officer of the Senate leaves office or after the termination of employment with the Senate of an employee of the Senate, the Secretary of the Senate shall notify the Member, officer, or employee of the beginning and ending date of the prohibitions that apply to the Member, officer, or employee under rule XXXVII of the Standing Rules of the Senate.

(b) Effective date

This section shall take effect 60 days after September 14, 2007.

(Pub. L. 110–81, title V, §535, Sept. 14, 2007, 121 Stat. 766.)

CODIFICATION

Section was formerly classified to section 104f of this title prior to editorial reclassification and renumbering as this section.

CHAPTER 49—CONGRESSIONAL PAGES

SUBCHAPTER I—GENERAL

- Sec. 4901. Congressional pages.
- 4902. John W. McCormack Residential Page School.
- 4903. Education of other minors who are Senate employees.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

- 4911. House of Representatives Page Board; establishment and purpose.
- 4912. Membership of Page Board.
- 4913. Regulations of Page Board.
- 4914. Academic year and summer term for page program.
- 4915. Service of page during academic year and summer term; filling of vacancies; eligibility.
- 4916. Definitions.
- 4917. Page residence hall and page meal plan.

SUBCHAPTER III—SENATE

- 4931. Daniel Webster Senate Page Residence Revolving Fund.

SUBCHAPTER I—GENERAL

§ 4901. Congressional pages

(a) Appointment conditions

A person shall not be appointed as a page of the Senate or House of Representatives—

- (1) unless he agrees that, in the absence of unforeseen circumstances preventing his service as a page after his appointment, he will continue to serve as a page for the period specified in writing at the time of the appointment; and
- (2) until complete information in writing is transmitted to his parent or parents, his legal guardian, or other appropriate person or persons acting as his parent or parents, with respect to the nature of the work of pages, their pay, their working conditions (including hours and scheduling of work), and the housing accommodations available to pages.

(2) until complete information in writing is transmitted to his parent or parents, his legal guardian, or other appropriate person or persons acting as his parent or parents, with respect to the nature of the work of pages, their pay, their working conditions (including hours and scheduling of work), and the housing accommodations available to pages.

(b) Qualifications

A person shall not serve as a page—