

5318 of Title 5, was repealed by Pub. L. 102-90, title I, §6(c), Aug. 14, 1991, 105 Stat. 451.

APPROPRIATION OF FUNDS FOR COMPENSATION OF MEMBERS OF CONGRESS AND FOR ADMINISTRATIVE EXPENSES AT LEVELS AUTHORIZED BY LAW AND RECOMMENDED BY THE PRESIDENT FOR FEDERAL EMPLOYEES

Pub. L. 97-51, §130(c), Oct. 1, 1981, 95 Stat. 966, provided that: "Effective beginning with fiscal year 1983, and continuing each year thereafter, such sums as hereafter may be necessary for 'Compensation of Members' (and administrative expenses related thereto), as authorized by law and at such level recommended by the President for Federal employees for that fiscal year are hereby appropriated from money in the Treasury not otherwise appropriated. Such sums when paid shall be in lieu of any sums accrued in prior years but not paid. For purposes of this subsection, the term 'Member' means each Member of the Senate and the House of Representatives, the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, Guam, Virgin Islands, and American Samoa, and the Vice President."

COMMISSION ON JUDICIAL AND CONGRESSIONAL SALARIES

Act Aug. 7, 1953, ch. 353, 67 Stat. 485, which established a Commission to determine appropriate rates of salaries for justices and judges of courts of United States and for Vice President, Speaker of House of Representatives, and Members of Congress, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 657.

SALARY INCREASES

For adjustment of pay rates under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of Title 5, Government Organization and Employees.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of this title.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of Title 5, Government Organization and Employees.

**§ 31-1. Repealed. Pub. L. 102-90, title I, §6(c), Aug. 14, 1991, 105 Stat. 451**

Section, Pub. L. 98-63, title I, §908(a)-(c), July 30, 1983, 97 Stat. 337, 338; Pub. L. 99-190, §137, Dec. 19, 1985, 99 Stat. 1323; Pub. L. 101-194, title VI, §601(b)(2), title XI, §1101(b), Nov. 30, 1989, 103 Stat. 1762, 1782; Pub. L. 101-280, §7(b)(2)(d)(2), May 4, 1990, 104 Stat. 161, related to maximum amount of honoraria which could be accepted by Members of Congress.

**§ 31-2. 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 greater<sup>1</sup> 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 consideration 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).<sup>2</sup>

(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 select<sup>3</sup> 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,<sup>4</sup> participating, the supervisors of such individuals where

<sup>2</sup> See References in Text note below.

<sup>3</sup> So in original. Probably should be capitalized.

<sup>4</sup> So in original. The comma probably should not appear.

<sup>1</sup> So in original. Probably should be followed by a comma.