

sociation, corporation, or other entity which provides professional services involving a fiduciary relationship;

(2) permit that Member's, officer's, or employee's name to be used by any such firm, partnership, association, corporation, or other entity;

(3) receive compensation for practicing a profession which involves a fiduciary relationship;

(4) serve for compensation as an officer or member of the board of any association, corporation, or other entity; or

(5) receive compensation for teaching, without the prior notification and approval of the appropriate entity referred to in section 503.

(b) TEACHING COMPENSATION OF JUSTICES AND JUDGES RETIRED FROM REGULAR ACTIVE SERVICE.—For purposes of the limitation under section 501(a), any compensation for teaching approved under subsection (a)(5) of this section shall not be treated as outside earned income—

(1) when received by a justice of the United States retired from regular active service under section 371(b) of title 28, United States Code;

(2) when received by a judge of the United States retired from regular active service under section 371(b) of title 28, United States Code, for teaching performed during any calendar year for which such judge has met the requirements of subsection (f) of section 371 of title 28, United States Code, as certified in accordance with such subsection; or

(3) when received by a justice or judge of the United States retired from regular active service under section 372(a) of title 28, United States Code.

(Pub. L. 95-521, title V, § 502, as added Pub. L. 101-194, title VI, § 601(a), Nov. 30, 1989, 103 Stat. 1761; amended Pub. L. 101-280, § 7(a)(1), (b), May 4, 1990, 104 Stat. 161; Pub. L. 101-650, title III, § 319, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 102-198, § 6, Dec. 9, 1991, 105 Stat. 1624; Pub. L. 102-378, § 4(b)(3), Oct. 2, 1992, 106 Stat. 1357.)

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (a), is set out under section 5332 of this title.

PRIOR PROVISIONS

A prior section 502 of Pub. L. 95-521, title V, Oct. 26, 1978, 92 Stat. 1867, is set out as a note under section 207 of Title 18, Crimes and Criminal Procedure.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-378, § 4(b)(3), substituted “who occupies a position classified above GS-15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule” for “whose rate of basic pay is equal to or greater than the annual rate of basic pay in effect for grade GS-16 of the General Schedule”.

1991—Subsec. (b). Pub. L. 102-198 substituted heading for one which read “SENIOR JUDGES TEACHING COMPENSATION” and amended text generally. Prior to amendment, text read as follows: “Any compensation for teaching received by a senior judge (as designated under section 294(b) of title 28, United States Code) approved under subsection (a)(5) of this section shall not

be treated as outside earned income for the purpose of the limitation under section 501(a).”

1990—Pub. L. 101-650 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Pub. L. 101-280, § 7(a)(1), in introductory provisions substituted “a noncareer officer or employee” for “not a career civil servant”.

Pub. L. 101-280, § 7(b)(1), in par. (1) substituted “receive compensation for affiliating with or being” for “affiliate with or be” and “which provides professional services involving” for “to provide professional services which involves”, and struck out “for compensation” after “relationship”.

Pub. L. 101-280, § 7(b)(2), in par. (3) substituted “receive compensation for practicing” for “practice” and struck out “for compensation” after “relationship”.

EFFECTIVE DATE

Section effective Jan. 1, 1991, but shall cease to be effective if the provisions of section 703 of Pub. L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub. L. 101-194, set out as an Effective Date of 1989 Amendment note under section 7701 of Title 26, Internal Revenue Code.

§ 503. Administration

This title shall be subject to the rules and regulations of—

(1) and administered by—

(A) the Committee on Standards of Official Conduct of the House of Representatives, with respect to Members, officers, and employees of the House of Representatives; and

(B) in the case of Senators and legislative branch officers and employees other than those officers and employees specified in subparagraph (A), the committee to which reports filed by such officers and employees under title I are transmitted under such title, except that the authority of this section may be delegated by such committee with respect to such officers and employees;

(2) the Office of Government Ethics and administered by designated agency ethics officials with respect to officers and employees of the executive branch; and

(3) and administered by the Judicial Conference of the United States (or such other agency as it may designate) with respect to officers and employees of the judicial branch.

(Pub. L. 95-521, title V, § 503, as added Pub. L. 101-194, title VI, § 601(a), Nov. 30, 1989, 103 Stat. 1761; amended Pub. L. 101-280, § 7(c), May 4, 1990, 104 Stat. 161; Pub. L. 102-90, title I, § 6(b)(1), Aug. 14, 1991, 105 Stat. 450.)

PRIOR PROVISIONS

A prior section 503 of Pub. L. 95-521, title V, Oct. 26, 1978, 92 Stat. 1867, is set out as a note under section 207 of Title 18, Crimes and Criminal Procedure.

AMENDMENTS

1991—Par. (1)(B). Pub. L. 102-90 substituted “Senators and legislative branch officers and employees” for “legislative branch officers and employees other than Senators, officers, and employees of the Senate and”.

1990—Par. (1). Pub. L. 101-280 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “and administered by the committee of the House of Representatives assigned responsibility for administering the reporting requirements of title I with respect to Members, officers and employees of the House of Representatives;”.

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 1991 AMENDMENT

Section 6(f)(1) of Pub. L. 102-90 provided that: "Except for the provisions of subsection (e)(1) [105 Stat. 451], the provisions of this section [amending this section and section 505 of Pub. L. 95-521, set out in this Appendix, repealing sections 31-1 and 441 of Title 2, The Congress, enacting provisions set out as a note under section 5318 of this title, and repealing provisions set out as notes under sections 31 and 358 of Title 2] shall take effect on the date of the enactment of this Act [Aug. 14, 1991]."

EFFECTIVE DATE

Section effective Jan. 1, 1991, but shall cease to be effective if the provisions of section 703 of Pub. L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub. L. 101-194, set out as an Effective Date of 1989 Amendment note under section 7701 of Title 26, Internal Revenue Code.

§ 504. Civil Penalties

(a) CIVIL ACTION.—The Attorney General may bring a civil action in any appropriate United States district court against any individual who violates any provision of section 501 or 502. The court in which such action is brought may assess against such individual a civil penalty of not more than \$10,000 or the amount of compensation, if any, which the individual received for the prohibited conduct, whichever is greater.

(b) ADVISORY OPINIONS.—Any entity described in section 503 may render advisory opinions interpreting this title, in writing, to individuals covered by this title. Any individual to whom such an advisory opinion is rendered and any other individual covered by this title who is involved in a fact situation which is indistinguishable in all material aspects, and who, after the issuance of such advisory opinion, acts in good faith in accordance with its provisions and findings shall not, as a result of such actions, be subject to any sanction under subsection (a).

(Pub. L. 95-521, title V, §504, as added Pub. L. 101-194, title VI, §601(a), Nov. 30, 1989, 103 Stat. 1761.)

EFFECTIVE DATE

Section effective Jan. 1, 1991, but shall cease to be effective if the provisions of section 703 of Pub. L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub. L. 101-194, set out as an Effective Date of 1989 Amendment note under section 7701 of Title 26, Internal Revenue Code.

§ 505. Definitions

For purposes of this title:

(1) The term "Member" means a Senator in, a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(2) The term "officer or employee" means any officer or employee of the Government except any special Government employee (as defined in section 202 of title 18, United States Code).

(3) The term "honorarium" means a payment of money or any thing of value for an appearance, speech or article (including a series of appearances, speeches, or articles if the subject matter is directly related to the individual's official duties or the payment is made because of the individual's status with the Government) by a Member, officer or employee, excluding any actual and necessary travel expenses incurred by such individual (and one relative) to the extent that such expenses are paid or reimbursed by any other person, and the amount otherwise determined shall be reduced by the amount of any such expenses to the extent that such expenses are not paid or reimbursed.

(4) The term "travel expenses" means, with respect to a Member, officer or employee, or a relative of any such individual, the cost of transportation, and the cost of lodging and meals while away from his or her residence or principal place of employment.

(5) The term "charitable organization" means an organization described in section 170(c) of the Internal Revenue Code of 1986 [26 U.S.C. 170(c)].

(Pub. L. 95-521, title V, §505, as added Pub. L. 101-194, title VI, §601(a), Nov. 30, 1989, 103 Stat. 1761; amended Pub. L. 102-90, title I, §6(b)(2), (3), title III, §314(b), Aug. 14, 1991, 105 Stat. 450, 469.)

AMENDMENTS

1991—Par. (1). Pub. L. 102-90, §6(b)(2), inserted "a Senator in," before "a Representative".

Par. (2). Pub. L. 102-90, §6(b)(3), struck out "(A) any individual (other than the Vice President) whose compensation is disbursed by the Secretary of the Senate or (B)" after "except".

Par. (3). Pub. L. 102-90, §314(b), inserted "(including a series of appearances, speeches, or articles if the subject matter is directly related to the individual's official duties or the payment is made because of the individual's status with the Government)" before "by a Member".

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by section 314(b) of Pub. L. 102-90 effective Jan. 1, 1992, see section 314(g)(1) of Pub. L. 102-90, as amended, set out as a note under section 31-2 of Title 2, The Congress.

EFFECTIVE DATE

Section effective Jan. 1, 1991, but shall cease to be effective if the provisions of section 703 of Pub. L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub. L. 101-194, set out as an Effective Date of 1989 Amendment note under section 7701 of Title 26, Internal Revenue Code.