

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 441i 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 L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub.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 L. 101-194, 5 U.S.C. 5318 note, are subsequently repealed, see section 603 of Pub.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.