

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 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 applicable;<sup>5</sup> 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.

**(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.

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

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

<sup>5</sup> So in original. The semicolon probably should be a comma.

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

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