

(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 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).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

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

² See References in Text note below.