

RULE XXIV

CODE OF OFFICIAL CONDUCT

There is hereby established by and for the House the following code of conduct, to be known as the “Code of Official Conduct”:

1. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House.

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conduct of Members,
officers, or employees
of the House.

2. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

3. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive compensation and may not permit compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in Congress.

4. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept gifts except as provided by clause 5 of rule XXVI.

5. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept an honorarium for a speech, a writing for publication, or other similar activity, except as otherwise provided under rule XXVI.

6. A Member, Delegate, or Resident Commissioner—

(a) shall keep his campaign funds separate from his personal funds;

(b) may not convert campaign funds to personal use in excess of an amount representing reimbursement for legitimate and verifiable campaign expenditures; and

(c) may not expend funds from his campaign account that are not attributable to bona fide campaign or political purposes.

7. A Member, Delegate, or Resident Commissioner shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events.

8. (a) A Member, Delegate, Resident Commissioner, or officer of the House may not retain an employee who does not perform duties for the offices of the employing authority commensurate with the compensation he receives.

(b) In the case of a committee employee who works under the direct supervision of a member of the committee other than a chairman, the chairman may require that such member affirm in writing that the employee has complied with clause 8(a) (subject to clause 9 of rule X) as evidence of compliance by the chairman with this clause and with clause 9 of rule X.

9. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not discharge and may not refuse to hire an individual, or otherwise discriminate against

an individual with respect to compensation, terms, conditions, or privileges of employment, because of the race, color, religion, sex (including marital or parental status), disability, age, or national origin of such individual, but may take into consideration the domicile or political affiliation of such individual.

10. A Member, Delegate, or Resident Commissioner who has been convicted by a court of record for the commission of a crime for which a sentence of two or more years' imprisonment may be imposed should refrain from participation in the business of each committee of which he is a member, and a Member should refrain from voting on any question at a meeting of the House or of the Committee of the Whole House on the state of the Union, unless or until judicial or executive proceedings result in reinstatement of the presumption of his innocence or until he is re-elected to the House after the date of such conviction.

11. A Member, Delegate, or Resident Commissioner may not authorize or otherwise allow an individual, group, or organization not under the direction and control of the House to use the words "Congress of the United States," "House of Representatives," or "Official Business," or any combination of words thereof, on any letterhead or envelope.

12. (a) Except as provided in paragraph (b), an employee of the House who is required to file a report under rule XXVII may not partici-

pate personally and substantially as an employee of the House in a contact with an agency of the executive or judicial branches of Government with respect to nonlegislative matters affecting any nongovernmental person in which the employee has a significant financial interest.

(b) Paragraph (a) does not apply if an employee first advises his employing authority of a significant financial interest described in paragraph (a) and obtains from his employing authority a written waiver stating that the participation of the employee in the activity described in paragraph (a) is necessary. A copy of each such waiver shall be filed with the Committee on Standards of Official Conduct.

13. Before a Member, Delegate, Resident Commissioner, officer, or employee of the House may have access to classified information, the following oath (or affirmation) shall be executed:

“I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service with the House of Representatives, except as authorized by the House of Representatives or in accordance with its Rules.”

Copies of the executed oath (or affirmation) shall be retained by the Clerk as part of the records of the House.

14. (a) In this Code of Official Conduct, the term “officer or employee of the House” means

an individual whose compensation is disbursed by the Chief Administrative Officer.

(b) An individual whose services are compensated by the House pursuant to a consultant contract shall be considered an employee of the House for purposes of clauses 1, 2, 3, 4, 8, 9, and 13 of this rule.

This rule (former rule XLIII) was adopted in the 90th Congress (H. Res. 1099, Apr. 3, 1968, p. 8803). The jurisdiction of the Committee on Standards of Official Conduct was redefined in the same resolution. The rule was amended in the 92d Congress to bring the Delegates from the District of Columbia, Guam and the Virgin Islands within the definition of “Member” (H. Res. 5, Jan. 22, 1971, p. 144; H. Res. 1153, Oct. 13, 1972, pp. 36021–23). The rule was further amended in the 94th Congress by adding clause 9 (H. Res. 5, Jan. 14, 1975, p. 20). Clause 10 was adopted in the 94th Congress (H. Res. 46, Apr. 16, 1975, p. 10340). In the 95th Congress: (1) clause 4 was amended to change the prohibition against acceptance of gifts of “substantial value”; (2) clause 6 was amended to delete from the second sentence the exception “unless specifically provided by law,” which had been added in the 94th Congress (H. Res. 5, Jan. 4, 1975, p. 20); (3) clause 7 was amended to eliminate an exception permitting sponsors to give notice of purpose; and (4) definitions for purposes of clause 4 were added (H. Res. 287, Mar. 2, 1977, pp. 5933–53). Clause 11 was adopted in the 96th Congress (H. Res. 5, Jan. 15, 1979, pp. 7–16). In the 100th Congress clause 4 was amended to increase from \$35 to \$50 the value of personal hospitality of an individual that is not to be counted when computing the aggregate amount of gifts per calendar year, and clause 9 was amended to prohibit discrimination in employment based upon age (H. Res. 5, Jan. 6, 1987, p. 6). In the Ethics Reform Act of 1989: (1) clause 4 was again amended to revise the rules governing the acceptance of gifts, including value thresholds, waivers, and defined “relatives”; (2) clause 5 was amended to prohibit the acceptance of honoraria effective January 1, 1991; (3) clause 6 was amended to specify that campaign funds be used only for bona fide campaign or political purposes; (4) clause 8 was amended to broaden Members’ accountability for the pay and performance of staff; (5) clause 9 was amended to conform existing staff anti-discrimination rules to the Fair Employment Practices resolution adopted in the 100th Congress (now rule LI; see § 1101, *infra*); (6) clause 12 was added to proscribe certain contacts as involving conflicts of interest; and (7) the last undesignated paragraph was amended to make conforming changes in the definition of “relative” (P.L. 101–194, Nov. 30, 1989). The Act also established a civil cause of action against an individual who violates the limitations on outside earned income and employment (5 U.S.C.

app. 504). The threshold and aggregate values in clause 4 were again adjusted by section 314(d) of the Legislative Branch Appropriations Act for fiscal year 1992 (P.L. 102–90, Aug. 14, 1991). Clause 13 was added in the 104th Congress (sec. 220, H. Res. 6, Jan. 4, 1995, p. 468). In the 104th Congress clause 4 was rewritten, and a final undesignated paragraph defining terms for the former version of clause 4 was deleted, to reflect the adoption of a Gift Rule in rule LI (H. Res. 254, Nov. 30, 1995, p. —). In the 105th Congress the rule was amended to effect three clerical corrections (H. Res. 5, Jan. 7, 1997, p. —). In the 106th Congress: (1) clause 8 was amended to permit telecommuting by House employees; (2) clause 14 was amended to include consultants among employees covered by certain provisions of the code of conduct; and (3) clerical and stylistic changes were effected, and the rule was transferred from rule XLIII, when the House recodified its rules (H. Res. 5, Jan. 6, 1999, p. —).

For an in-depth discussion of this rule prepared by the Committee on Standards of Official Conduct, see the *House Ethics Manual* (102d Cong., 2d Sess.).

It is not a proper parliamentary inquiry to ask the Chair to interpret the application of a criminal statute to a Member's conduct, as it is for the House and not the Chair to judge the conduct of Members (Nov. 17, 1987, p. 32153). The Committee on Standards of Official Conduct has opined that "conviction" in clause 10 includes a plea of guilty or a certified finding of guilty even though sentencing may occur later (H. Rept. 94–76).

RULE XXV

LIMITATIONS ON USE OF OFFICIAL FUNDS

Limitations on use of official and unofficial accounts

1. A Member, Delegate, or Resident Commissioner may not maintain, or have maintained for his use, an unofficial office account. Funds may not be paid into an unofficial office account.

2. Notwithstanding any other provision of this rule, if an amount from the Official Expenses Allowance of a Member, Delegate, or Resident Commissioner is paid into the House Recording Studio revolving fund for telecommunications

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