

- 35.3d** (d) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.
- 35.4a** 4. (a) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, officer, or employee shall not be considered a gift under this rule if it is reported as provided in subparagraph (b).
- 35.4b** (b) A Member, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of honoraria described in subparagraph (a) shall report within 30 days after such designation or recommendation to the Secretary of the Senate—
- (1) the name and address of the registered lobbyist who is making the contribution in lieu of honoraria;
 - (2) the date and amount of the contribution; and
 - (3) the name and address of the charitable organization designated or recommended by the Member.
- The Secretary of the Senate shall make public information received pursuant to this subparagraph as soon as possible after it is received.
- 35.5** 5. For purposes of this rule—
- 35.5a** (a) the term “registered lobbyist” means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and
- 35.5b** (b) the term “agent of a foreign principal” means an agent of a foreign principal registered under the Foreign Agents Registration Act.
- 35.6** 6. All the provisions of this rule shall be interpreted and enforced solely by the Select Committee on Ethics. The Select Committee on Ethics is authorized to issue guidance on any matter contained in this rule.

36RULE XXXVI³⁶

OUTSIDE EARNED INCOME

- 36.1** For purposes of this rule, the provisions of section 501 of the Ethics in Government Act of 1978 (5 U.S.C. App.

³⁶ Previous provisions of Rule XXXVI were repealed by S. Res. 512, 97–2, Dec. 14, 1982, effective Jan. 1, 1983. New Rule XXXVI language established by S. Res. 192, 102–1, Oct. 31, 1991, effective Aug. 14, 1991. See Senate Manual §§ 922–926 for provisions of 5 U.S.C. App. 7.

7 501) shall be deemed to be a rule of the Senate as it pertains to Members, officers, and employees of the Senate.

RULE XXXVII

37

CONFLICT OF INTEREST

1. A Member, officer, or employee of the Senate shall not receive any compensation, nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt or accrual of which would occur by virtue of influence improperly exerted from his position as a Member, officer, or employee. **37.1**

2. No Member, officer, or employee shall engage in any outside business or professional activity or employment for compensation which is inconsistent or in conflict with the conscientious performance of official duties. **37.2**

3. No officer or employee shall engage in any outside business or professional activity or employment for compensation unless he has reported in writing when such activity or employment commences and on May 15 of each year thereafter so long as such activity or employment continues, the nature of such activity or employment to his supervisor. The supervisor shall then, in the discharge of his duties, take such action as he considers necessary for the avoidance of conflict of interest or interference with duties to the Senate. **37.3**

4. No Member, officer, or employee shall knowingly use his official position to introduce or aid the progress or passage of legislation, a principal purpose of which is to further only his pecuniary interest, only the pecuniary interest of his immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when he, or his immediate family, or enterprises controlled by them, are members of the affected class. **37.4**

5. (a)³⁷ No Member, officer, or employee of the Senate compensated at a rate in excess of \$25,000 per annum and employed for more than ninety days in a calendar year shall (1) affiliate with a firm, partnership, association, or corporation for the purpose of providing professional services for compensation; (2) permit that individual's name to be used by such a firm, partnership, association or corporation; or (3) practice a profession for compensation to any extent during regular office hours of the Senate office **37.5a**

³⁷ Pursuant to S. Res. 192, 102-1, Oct. 31, 1991, effective Aug. 14, 1991, paragraph 5 renumbered 5(a) and subparagraph (b) added.