

tributors, as members of a political party, or by any other partisan political designation, (b) to produce computer printouts except as authorized by user guides approved by the Committee on Rules and Administration, or (c) to produce mailing labels for mass mailings, or computer tapes and discs, for use other than in service facilities maintained and operated by the Senate or under contract to the Senate. The Committee on Rules and Administration shall prescribe such regulations not inconsistent with the purposes of this paragraph as it determines necessary to carry out such purposes.

**40.6a** 6. (a) The radio and television studios provided by the Senate or by the House of Representatives may not be used by a Senator or an individual who is a candidate for nomination for election, or election, to the Senate less than sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which that Senator is a candidate for public office or that individual is a candidate for Senator, unless the candidacy of the Senator in such election is uncontested.<sup>88</sup>

**40.6b** (b) This paragraph shall not apply if the facilities are to be used at the request of, and at the expense of, a licensed broadcast organization or an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1954.

## 41

## RULE XLI

## POLITICAL FUND ACTIVITY; DEFINITIONS

**41.1** 1. No officer or employee of the Senate may receive, solicit, be a custodian of, or distribute any funds in connection with any campaign for the nomination for election, or the election, of any individual to be a Member of the Senate or to any other Federal office. This prohibition does not apply to three<sup>89</sup> assistants to a Senator, at least one of whom is in Washington, District of Columbia, who have been designated by that Senator to perform any of the functions described in the first sentence of this paragraph and who are compensated at an annual rate in excess of \$10,000 if such designation has been made in writing and filed with the Secretary of the Senate and if each such assistant files a financial statement in the form provided under rule XXXIV for each year during which he is des-

<sup>88</sup> As amended by S. Res. 224, 103-2, June 21, 1994.

<sup>89</sup> As amended by S. Res. 258, 100-1, Oct. 1, 1987.

ignated under this rule. The Majority Leader and the Minority Leader may each designate an employee of their respective leadership office staff as one of the 3 designees referred to in the second sentence.<sup>90 91</sup> The Secretary of the Senate shall make the designation available for public inspection.

2. For purposes of the Senate Code of Official Conduct— **41.2**

(a) an employee of the Senate includes any employee whose salary is disbursed by the Secretary of the Senate; and **41.2a**

(b) the compensation of an officer or employee of the Senate who is a reemployed annuitant shall include amounts received by such officer or employee as an annuity, and such amounts shall be treated as disbursed by the Secretary of the Senate. **41.2b**

3. Before approving the utilization by any committee of the Senate of the services of an officer or employee of the Government in accordance with paragraph 4<sup>92</sup> of rule XXVII or with an authorization provided by Senate resolution, the Committee on Rules and Administration shall require such officer or employee to agree in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. Any such officer or employee shall, for purposes of such Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation he is receiving as an officer or employee of the Government. **41.3**

4. No Member, officer, or employee of the Senate shall utilize the full-time services of an individual for more than ninety days in a calendar year in the conduct of official duties of any committee or office of the Senate (including a Member's office) unless such individual— **41.4**

(a) is an officer or employee of the Senate, **41.4a**

(b) is an officer or employee of the Government (other than the Senate), or **41.4b**

(c) agrees in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. **41.4c**

<sup>90</sup> Pursuant to S. Res. 236, 101–2, Jan. 30, 1990.

<sup>91</sup> Pursuant to Pub. L. 116–94, Title XVII, sec. 1701, the Majority Leader and the Minority Leader may each designate up to 2 employees of their respective leadership office staff as designees; however, the Standing Rules of the Senate were not amended.

<sup>92</sup> Reference corrected by S. Res. 192, 102–1, Oct. 31, 1991.

Any individual to whom subparagraph (c) applies shall, for purposes of such Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation which such individual is receiving from any source for performing such services.

**41.5** 5. In exceptional circumstances for good cause shown, the Select Committee on Ethics may waive the applicability of any provision of the Senate Code of Official Conduct to an employee hired on a per diem basis.

**41.6a** 6. (a) The supervisor of an individual who performs services for any Member, committee, or office of the Senate for a period in excess of four weeks and who receives compensation therefor from any source other than the United States Government shall report to the Select Committee on Ethics with respect to the utilization of the services of such individual.

**41.6b** (b) A report under subparagraph (a) shall be made with respect to an individual—

(1) when such individual begins performing services described in such subparagraph;

(2) at the close of each calendar quarter while such individual is performing such services; and

(3) when such individual ceases to perform such services. Each such report shall include the identity of the source of the compensation received by such individual and the amount or rate of compensation paid by such source.

**41.6c** (c) No report shall be required under subparagraph (a) with respect to an individual who normally performs services for a Member, committee, or office for less than eight hours a week.

**41.6d** (d) For purposes of this paragraph, the supervisor of an individual shall be determined under paragraph 12 of rule XXXVII.<sup>93</sup>

**42**

**RULE XLII**

**EMPLOYMENT PRACTICES**

**42.1** 1. No Member, officer, or employee of the Senate shall, with respect to employment by the Senate or any office thereof—

<sup>93</sup> Redesignated by S. Res. 236, 101-2, Jan. 30, 1990, and S. Res. 299, 106-2, Apr. 27, 2000.