

States Code (as added by subsection (a)), shall take effect with respect to Federal contracts, grants, loans, cooperative agreements, loan insurance commitments, and loan guaranty commitments that are entered into or made more than 60 days after the date of the enactment of this Act [Oct. 23, 1989].”

FIRST REPORT ON MAY 31, 1990; CONTENT

Pub. L. 101–121, title III, §319(b), Oct. 23, 1989, 103 Stat. 756, provided that the first report submitted under former subsec. (b)(6) of this section was to be submitted on May 31, 1990, and was to contain a compilation relating to the statements received under subsec. (b) of this section during the six-month period beginning on Oct. 1, 1989.

NOTIFICATION OF COMPLIANCE DATE; GUIDANCE FOR AGENCY IMPLEMENTATION

Pub. L. 101–121, title III, §319(c), Oct. 23, 1989, 103 Stat. 756, required the Director of the Office of Management and Budget to notify the head of each agency that this section was to be complied with commencing 60 days after Oct. 23, 1989, and required the Director, not later than 60 days after Oct. 23, 1989, to issue the guidance required under this section.

§ 1353. Acceptance of travel and related expenses from non-Federal sources

(a) Notwithstanding any other provision of law, the Administrator of General Services, in consultation with the Director of the Office of Government Ethics, shall prescribe by regulation the conditions under which an agency in the executive branch (including an independent agency) may accept payment, or authorize an employee of such agency to accept payment on the agency’s behalf, from non-Federal sources for travel, subsistence, and related expenses with respect to attendance of the employee (or the spouse of such employee) at any meeting or similar function relating to the official duties of the employee. Any cash payment so accepted shall be credited to the appropriation applicable to such expenses. In the case of a payment in kind so accepted, a pro rata reduction shall be made in any entitlement of the employee to payment from the Government for such expenses.

(b) Except as provided in this section or section 4111 or 7342 of title 5, an agency or employee may not accept payment for expenses referred to in subsection (a). An employee who accepts any payment in violation of the preceding sentence—

(1) may be required, in addition to any penalty provided by law, to repay, for deposit in the general fund of the Treasury, an amount equal to the amount of the payment so accepted; and

(2) in the case of a repayment under paragraph (1), shall not be entitled to any payment from the Government for such expenses.

(c) As used in this section—

(1) the term “executive branch” means all executive agencies (as such term is defined in section 105 of title 5); and

(2) the term “employee in the executive branch” means—

(A) an appointed officer or employee in the executive branch; and

(B) an expert or consultant in the executive branch, under section 3109 of title 5; and

(3) the term “payment” means a payment or reimbursement, in cash or in kind.

(d)(1) The head of each agency of the executive branch shall, in the manner provided in paragraph (2), submit to the Director of the Office of Government Ethics reports of payments of more than \$250 accepted under this section with respect to employees of the agency. The Director shall make such reports available for public inspection and copying.

(2) The reports required by paragraph (1) shall, with respect to each payment—

(A) specify the amount and method of payment, the name of the person making the payment, the name of the employee, the nature of the meeting or similar function, the time and place of travel, the nature of the expenses, and such other information as the Administrator of General Services may prescribe by regulation under subsection (a);

(B) be submitted not later than May 31 of each year with respect to payments in the preceding period beginning on October 1 and ending on March 31; and

(C) be submitted not later than November 30 of each year with respect to payments in the preceding period beginning on April 1 and ending on September 30.

(Added Pub. L. 101–194, title III, §302(a), Nov. 30, 1989, 103 Stat. 1745, §1352; renumbered §1353 and amended Pub. L. 101–280, §4(b)(1), (c), May 4, 1990, 104 Stat. 157, 158.)

Editorial Notes

AMENDMENTS

1990—Pub. L. 101–280, §4(b)(1), renumbered section 1352 of this title as this section.

Subsec. (a). Pub. L. 101–280, §4(c)(1), substituted “in the executive branch (including an independent agency) may accept payment, or authorize an employee of such agency to accept payment on the agency’s behalf,” for “or employee in the executive branch may accept payment”.

Subsec. (b). Pub. L. 101–280, §4(c)(2)(A), inserted “or 7342” after “section 4111”.

Subsec. (b)(2). Pub. L. 101–280, §4(c)(2)(B), substituted “(1),” for “(1)”.

Subsec. (c)(1). Pub. L. 101–280, §4(c)(3), substituted “all executive agencies” for “any executive agency”.

§ 1354. Limitation on use of appropriated funds for contracts with entities not meeting veterans’ employment reporting requirements

(a)(1) Subject to paragraph (2), no agency may obligate or expend funds appropriated for the agency for a fiscal year to enter into a contract described in section 4212(a) of title 38 with a contractor from which a report was required under section 4212(d) of that title with respect to the preceding fiscal year if such contractor did not submit such report.

(2) Paragraph (1) shall cease to apply with respect to a contractor otherwise covered by that paragraph on the date on which the contractor submits the report required by such section 4212(d) for the fiscal year concerned.

(b) The Secretary of Labor shall make available in a database a list of the contractors that have complied with the provisions of such section 4212(d).

(Added Pub. L. 105–339, §7(b)(1), Oct. 31, 1998, 112 Stat. 3189.)