

TITLE 2 - THE CONGRESS
CHAPTER 2 - ORGANIZATION OF CONGRESS

§ 29d. Committee on Standards of Official Conduct of House of Representatives

(a) Omitted

(b) Committee composition

The respective party caucus or conference of the House of Representatives shall each nominate to the House of Representatives at the beginning of each Congress 7 members to serve on the Committee on Standards of Official Conduct.

(c) Investigative subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

- (1) for the establishment of a 4 or 6-member investigative subcommittee (with equal representation from the majority and minority parties) whenever the committee votes to undertake any investigation;
- (2) that the senior majority and minority members on an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee; and
- (3) that the chairman and ranking minority member of the full committee may only serve as non-voting, ex officio members on an investigative subcommittee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any investigative subcommittee.

(d) Adjudicatory subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

- (1) that upon the completion of an investigation, an investigative subcommittee shall report its findings and recommendations to the committee;
- (2) that, if an investigative subcommittee by majority vote of its membership adopts a statement of alleged violation, the remaining members of the committee shall comprise an adjudicatory subcommittee to hold a disciplinary hearing on the violation alleged in the statement;
- (3) that any statement of alleged violation and any written response thereto shall be made public at the first meeting or hearing on the matter which is open to the public after the respondent has been given full opportunity to respond to the statement in accordance with committee rules, but, if no public hearing or meeting is held on the matter, the statement of alleged violation and any written response thereto shall be included in the committee's final report to the House of Representatives as required by clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives;
- (4) that a quorum for an adjudicatory subcommittee for the purpose of taking testimony and conducting any business shall consist of a majority of the membership of the subcommittee plus one; and
- (5) that an adjudicatory subcommittee shall determine, after receiving evidence, whether the counts in the statement have been proved and shall report its findings to the committee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any adjudicatory subcommittee.

(e) to (h) Omitted

(i) Advice and education

- (1) The Committee on Standards of Official Conduct shall establish within the committee an Office on Advice and Education (hereinafter in this subsection referred to as the "Office") under the supervision of the chairman.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

- (2) The Office shall be headed by a director who shall be appointed by the chairman, in consultation with the ranking minority member, and shall be comprised of such staff as the chairman determines is necessary to carry out the responsibilities of the Office.
- (3) The primary responsibilities of the Office shall include:
- (A) Providing information and guidance to Members, officers and employees of the House regarding any laws, rules, regulations, and other standards of conduct applicable to such individuals in their official capacities, and any interpretations and advisory opinions of the committee.
- (B) Submitting to the chairman and ranking minority member of the committee any written request from any such Member, officer or employee for an interpretation of applicable laws, rules, regulations, or other standards of conduct, together with any recommendations thereon.
- (C) Recommending to the committee for its consideration formal advisory opinions of general applicability.
- (D) Developing and carrying out, subject to the approval of the chairman, periodic educational briefings for Members, officers and employees of the House on those laws, rules, regulations, or other standards of conduct applicable to them.
- (4) No information provided to the Committee on Standards of Official Conduct by a Member, officer or employee of the House of Representatives when seeking advice regarding prospective conduct of such Member, officer or employee may be used as the basis for initiating an investigation under clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives, if such Member, officer or employee acts in accordance with the written advice of the committee.

(j) Effective date

This section shall take effect immediately before noon January 3, 1991, except that subsections (g), (h), and (i) shall take effect on January 1, 1990.

Footnotes

¹ See References in Text note below.

(Pub. L. 101–194, title VIII, § 803, Nov. 30, 1989, 103 Stat. 1774.)

References in Text

The Rules of the House of Representatives for the One Hundred Sixth Congress were adopted and amended generally by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Provisions formerly appearing in clause 5(d) of rule XI, referred to in subsecs. (c) and (d), are now contained in clause 6(d) of rule X. Provisions formerly appearing in clause 4(e)(1)(B) of rule X, referred to in subsecs. (d)(3) and (i)(4), are now contained in clause 3(a)(2) of rule XI.

Codification

Section is comprised of section 803 of Pub. L. 101–194. Subsecs. (a) and (e) to (h) of section 803 amended the Rules of the House of Representatives which are not classified to the Code.

Acceptance of Gifts; Amendments to Advisory Opinions

Section 801(e) of Pub. L. 101–194 provided that: “The Committee on Standards of Official Conduct of the House of Representatives shall amend its advisory opinions relating to the acceptance of gifts (1) to prohibit lodging received as personal hospitality in excess of 30 days in any calendar year from any individual unless a written waiver is granted by the committee and (2) to exempt gifts of food and beverages consumed not in connection with gifts of lodging from coverage under clause 4 of rule XLIII [now clause 4 of rule XXIII] of the Rules of the House of Representatives.”

Noncampaign Use of Campaign Vehicles

Section 802(e) of Pub. L. 101–194 provided that: “The Committee on Standards of Official Conduct of the House of Representatives shall issue an advisory opinion to provide for appropriate conditions for the incidental noncampaign use of vehicles owned or leased by a campaign committee of a Member of the House of Representatives.”

Restrictions on Reimbursable Travel Expenses

Section 805 of Pub. L. 101–194 provided that:

“(a) Restrictions.—The Committee on Standards of Official Conduct of the House of Representatives shall amend its advisory opinions relating to the acceptance of necessary travel expenses incurred on or after January 1, 1990, in connection with speaking engagements and similar events to—

“(1) prohibit the acceptance of such expenses for more than 4 consecutive days in the case of domestic travel and 7 consecutive days (excluding travel days) in the case of foreign travel; and

“(2) permit the acceptance of travel expenses for the spouse or other family member in connection with any substantial participation event or fact-finding activity.

“(b) Exemption Authority.—The Committee on Standards of Official Conduct of the House of Representatives is authorized to grant prior written exemptions from the limitations contained in subsection (a)(1) in exceptional circumstances.”