

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1413**

---

**AN ACT**

To amend the Ethics in Government Act of 1978, as amended, to extend the authorization of appropriations for the Office of Government Ethics for eight years, and for other purposes.

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1413

---

## AN ACT

To amend the Ethics in Government Act of 1978, as amended, to extend the authorization of appropriations for the Office of Government Ethics for eight years, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Office of Government  
5        Ethics Authorization Act of 1994”.

1 **SEC. 2. GIFT ACCEPTANCE AUTHORITY.**

2 Section 403 of the Ethics in Government Act of 1978  
3 (5 U.S.C. App. 5) is amended by—

4 (1) inserting “(a)” before “Upon the request”;  
5 and

6 (2) adding at the end thereof the following:

7 “(b)(1) The Director is authorized to accept and uti-  
8 lize on behalf of the United States, any gift, donation, be-  
9 quest, or devise of money, use of facilities, personal prop-  
10 erty, or services for the purpose of aiding or facilitating  
11 the work of the Office of Government Ethics.

12 “(2) No gift may be accepted—

13 “(A) that attaches conditions inconsistent with  
14 applicable laws or regulations; or

15 “(B) that is conditioned upon or will require  
16 the expenditure of appropriated funds that are not  
17 available to the Office of Government Ethics.

18 “(3) The Director shall establish written rules setting  
19 forth the criteria to be used in determining whether the  
20 acceptance of contributions of money, services, use of fa-  
21 cilities, or personal property under this subsection would  
22 reflect unfavorably upon the ability of the Office of Gov-  
23 ernment Ethics or any employee to carry out its respon-  
24 sibilities or official duties in a fair and objective manner,  
25 or would compromise the integrity or the appearance of

1 the integrity of its programs or any official involved in  
2 those programs.”.

3 **SEC. 3. EXTENSION OF AUTHORIZATION OF APPROPRIA-**  
4 **TIONS.**

5 The text of section 405 of the Ethics in Government  
6 Act of 1978 (5 U.S.C. App. 5) is amended to read as fol-  
7 lows: “There are authorized to be appropriated to carry  
8 out the provisions of this title and for no other purpose,  
9 not to exceed \$14,000,000 for fiscal year 1995 and for  
10 each of the next 7 fiscal years thereafter.”.

11 **SEC. 4. ASSISTANCE FROM OTHER AGENCIES.**

12 Section 403(a) of the Ethics in Government Act of  
13 1978 (5 U.S.C. App. 5), as designated by section 2, is  
14 amended—

15 (1) in paragraph (1) by striking “under this  
16 Act; and” and inserting “of the Office of Govern-  
17 ment Ethics; and”; and

18 (2) in paragraph (2) by striking “duties.” and  
19 inserting “duties under this Act or any other Act.”.

20 **SEC. 5. LIMITATION ON POSTEMPLOYMENT RESTRICTIONS.**

21 Section 207(j) of title 18, United States Code, is  
22 amended by adding at the end the following new para-  
23 graph:

24 “(7) POLITICAL PARTIES AND CAMPAIGN COM-  
25 MITTEES.—(A) Except as provided in subparagraph

1 (B), the restrictions contained in subsections (c),  
2 (d), and (e) shall not apply to a communication or  
3 appearance made solely on behalf of a candidate in  
4 his or her capacity as a candidate, an authorized  
5 committee, a national committee, a national Federal  
6 campaign committee, a State committee, or a politi-  
7 cal party.

8 “(B) Subparagraph (A) shall not apply to—

9 “(i) any communication to, or appearance  
10 before, the Federal Election Commission by a  
11 former officer or employee of the Federal Elec-  
12 tion Commission; or

13 “(ii) a communication or appearance made  
14 by a person who is subject to the restrictions  
15 contained in subsections (c), (d), or (e) if, at  
16 the time of the communication or appearance,  
17 the person is employed by a person or entity  
18 other than—

19 “(I) a candidate, an authorized com-  
20 mittee, a national committee, a national  
21 Federal campaign committee, a State com-  
22 mittee, or a political party; or

23 “(II) a person or entity who rep-  
24 represents, aids, or advises only persons or en-  
25 tities described in subclause (I).

1 “(C) For purposes of this paragraph—

2 “(i) the term ‘candidate’ means any person  
3 who seeks nomination for election, or election,  
4 to Federal or State office or who has authorized  
5 others to explore on his or her behalf the possi-  
6 bility of seeking nomination for election, or elec-  
7 tion, to Federal or State office;

8 “(ii) the term ‘authorized committee’  
9 means any political committee designated in  
10 writing by a candidate as authorized to receive  
11 contributions or make expenditures to promote  
12 the nomination for election, or the election, of  
13 such candidate, or to explore the possibility of  
14 seeking nomination for election, or the election,  
15 of such candidate, except that a political com-  
16 mittee that receives contributions or makes ex-  
17 penditures to promote more than 1 candidate  
18 may not be designated as an authorized com-  
19 mittee for purposes of subparagraph (A);

20 “(iii) the term ‘national committee’ means  
21 the organization which, by virtue of the bylaws  
22 of a political party, is responsible for the day-  
23 to-day operation of such political party at the  
24 national level;

1           “(iv) the term ‘national Federal campaign  
2 committee’ means an organization that, by vir-  
3 tue of the bylaws of a political party, is estab-  
4 lished primarily for the purpose of providing as-  
5 sistance, at the national level, to candidates  
6 nominated by that party for election to the of-  
7 fice of Senator or Representative in, or Dele-  
8 gate or Resident Commissioner to, the Con-  
9 gress;

10           “(v) the term ‘State committee’ means the  
11 organization which, by virtue of the bylaws of  
12 a political party, is responsible for the day-to-  
13 day operation of such political party at the  
14 State level;

15           “(vi) the term ‘political party’ means an  
16 association, committee, or organization that  
17 nominates a candidate for election to any Fed-  
18 eral or State elected office whose name appears  
19 on the election ballot as the candidate of such  
20 association, committee, or organization; and

21           “(vii) the term ‘State’ means a State of  
22 the United States, the District of Columbia, the  
23 Commonwealth of Puerto Rico, and any terri-  
24 tory or possession of the United States.”.

1 **SEC. 6. REPEAL AND CONFORMING AMENDMENTS.**

2 (a) REPEAL OF DISPLAY REQUIREMENT.—The Act  
3 entitled “An Act to provide for the display of the Code  
4 of Ethics for Government Service”, approved July 3, 1980  
5 (Public Law 96–303; 5 U.S.C. 7301 note) is repealed.

6 (b) CONFORMING AMENDMENTS.—

7 (1) FDIA.—Section 12(f)(3) of the Federal De-  
8 posit Insurance Act (12 U.S.C. 1822 (f)(3)) is  
9 amended by striking “, with the concurrence of the  
10 Office of Government Ethics,”.

11 (2) ETHICS IN GOVERNMENT ACT OF 1978.—(A)  
12 The heading for section 401 of the Ethics in Gov-  
13 ernment Act of 1978 is amended to read as follows:  
14 “ESTABLISHMENT; APPOINTMENT OF DIRECTOR”.

15 (B) Section 408 is amended by striking “March  
16 31” and inserting “April 30”.

17 **SEC. 7. EFFECTIVE DATE.**

18 This Act shall take effect on October 1, 1994, except  
19 section 5 shall take effect and apply to communications

1 or appearances made on and after the date of enactment  
2 of this Act.

Passed the Senate October 6 (legislative day, September 12), 1994.

Attest:

*Secretary.*