

104TH CONGRESS
1ST SESSION

H. RES. 299

To amend the Rules of the House of Representatives regarding outside earned income.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 1995

Mrs. JOHNSON of Connecticut (for herself, Mr. McDERMOTT, Mr. CARDIN, Mr. GOSS, Ms. PELOSI, Mr. HOBSON, Mr. BORSKI, Mr. SCHIFF, and Mr. SAWYER) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

To amend the Rules of the House of Representatives regarding outside earned income.

1 *Resolved,*

2 **SECTION 1. AMENDMENT TO HOUSE RULES.**

3 (a) Clause 3(e) of rule XLVII of the Rules of the
4 House of Representatives is amended to read as follows:

5 “(e) The term ‘outside earned income’ means, with
6 respect to a Member, officer, or employee, wages, salaries,
7 fees, and copyright royalties earned while a Member, offi-
8 cer or employee of the House, and other amounts received

1 or to be received as compensation for personal services ac-
2 tually rendered but does not include—

3 “(1) the salary of such individual as a Member,
4 officer, or employee;

5 “(2) any compensation derived by such individ-
6 ual for personal services actually rendered prior to
7 the effective date of this rule or becoming such a
8 Member, officer, or employee, whichever occurs later;

9 “(3) any amount paid by, or on behalf of, a
10 Member, officer, or employee, to a tax-qualified pen-
11 sion, profit-sharing, or stock bonus plan and re-
12 ceived by such individual from such a plan;

13 “(4) in the case of a Member, officer, or em-
14 ployee engaged in a trade or business in which the
15 individual or his family holds a controlling interest
16 and in which both personal services and capital are
17 income-producing factors, any amount received by
18 such individual so long as the personal services actu-
19 ally rendered by the individual in the trade or busi-
20 ness do not generate a significant amount of income;
21 and

22 “(5) copyright royalties for works published be-
23 fore becoming a Member, officer, or employee of the
24 House.”.

1 (b) Clause 3 of rule XLVII of the Rules of the House
2 of Representatives is further amended by adding at the
3 end the following new paragraphs:

4 “(g) A Member, officer, or employee of the House
5 may not—

6 “(1) receive any copyright royalties pursuant to
7 a contract entered into after becoming a Member,
8 officer, or employee—

9 “(A) unless the royalty is received from an
10 established publisher pursuant to usual and
11 customary contractual terms; and

12 “(B) without the prior approval of the con-
13 tract by the Committee on Standards of Official
14 Conduct; or

15 “(2) receive any advance payment for any such
16 work. However, the rule does not prohibit literary
17 agents, research staff, and other persons working on
18 behalf of the Member, officer, or employee, from re-
19 ceiving advance payments directly from the pub-
20 lisher.

21 “(h) The Committee on Standards of Official Con-
22 duct, subject to such exceptions as it deems appropriate,
23 shall not approve any contract which permits the deferral
24 of royalty payments beyond the year in which earned.”.

1 **SEC. 2. EFFECTIVE DATE.**

2 The amendments made by this resolution shall apply
3 to copyright royalties earned by a Member, officer, or em-
4 ployee of the House of Representatives after December 31,
5 1995.

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