

(v) whether the length of the trip and the itinerary is consistent with the official purpose of the trip;

(vi) whether there is an adequate connection between a trip and official duties;

(vii) the reasonableness of an amount spent by a sponsor of the trip;

(viii) whether there is a direct and immediate relationship between a source of funding and an event; and

(ix) any other factor deemed relevant by the Select Committee on Ethics; and

(B) regulations describing the information it will require individuals subject to the requirements of the amendments made by subsection (a)<sup>1</sup> to submit to the committee in order to obtain the prior approval of the committee for travel under paragraph 2 of rule XXXV of the Standing Rules of the Senate, including any required certifications.

## (2) Consideration

In developing and revising guidelines under paragraph (1)(A), the committee shall take into account the maximum per diem rates for official Federal Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense.

## (3) Unreasonable expense

For purposes of this section, travel on a flight described in paragraph 1(c)(1)(C)(ii) of rule XXXV of the Standing Rules of the Senate shall not be considered to be a reasonable expense.

## (4) Extension

The deadline for the initial guidelines required by paragraph (1) may be extended for 30 days by the Committee on Rules and Administration.

(Pub. L. 110-81, title V, § 544(b), Sept. 14, 2007, 121 Stat. 769.)

### REFERENCES IN TEXT

The amendments made by subsection (a), referred to in par. (1), mean the amendments made by subsec. (a) of section 544 of Pub. L. 110-81 to paragraph 2 of rule XXXV of the Standing Rules of the Senate, which are not classified to the Code.

### EFFECTIVE DATE

Pub. L. 110-81, title V, § 544(f), Sept. 14, 2007, 121 Stat. 771, provided that: "The amendments made by subsections (a) [121 Stat. 767] and (b) [enacting this section] shall take effect 60 days after the date of enactment of this Act [Sept. 14, 2007] or the date the Select Committee on Ethics issues new guidelines as required by subsection (b), whichever is later. Subsection (c) [121 Stat. 770] shall take effect on the date of enactment of this Act."

### SEPARATELY REGULATED EXPENSES

Pub. L. 110-81, title V, § 544(e), Sept. 14, 2007, 121 Stat. 771, provided that: "Nothing in this section [enacting this section and provisions set out as a note under this section] or section 541 [121 Stat. 766] is meant to alter treatment under law or Senate rules of expenses that are governed by the Foreign Gifts and Decorations Act [of 1966, 22 U.S.C. 2621 et seq.] or the Mutual Educational and Cultural Exchange Act [of 1961, 22 U.S.C. 2451 et seq.]."

## § 31a. Repealed. Mar. 2, 1955, ch. 9, § 4(b), 69 Stat. 11, eff. Mar. 1, 1955

Section, acts Aug. 2, 1946, ch. 753, title VI, § 601(b), 60 Stat. 850; Oct. 20, 1951, ch. 521, title VI, § 619(d), 65 Stat.

570, related to expense allowance for Senators, Representatives, Delegates, and Resident Commissioner.

## § 31a-1. Expense allowance of Majority and Minority Leaders of Senate; expense allowance of Majority and Minority Whips; methods of payment; taxability

Effective fiscal year 1978 and each fiscal year thereafter, the expense allowances of the Majority and Minority Leaders of the Senate are increased to \$40,000 each fiscal year for each leader: *Provided*, That, effective with the fiscal year 1983 and each fiscal year thereafter, the expense allowance of the Majority and Minority Whips of the Senate shall not exceed \$10,000 each fiscal year for each Whip: *Provided further*, That, during the period beginning on January 3, 1977, and ending September 30, 1977, and during each fiscal year thereafter, the Vice President, the Majority Leader, the Minority Leader, the Majority Whip, and the Minority Whip may receive the expense allowance (a) as reimbursement for actual expenses incurred upon certification and documentation of such expenses by the Vice President, the respective Leader or the respective Whip, or (b) in equal monthly payments: *Provided further*, That effective January 3, 1977, the amounts paid to the Vice President, the Majority or Minority Leader of the Senate, or the Majority or Minority Whip of the Senate as reimbursement of actual expenses incurred upon certification and documentation pursuant to the second proviso of this section shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction, under title 26.

(Pub. L. 95-26, title I, May 4, 1977, 91 Stat. 79; Pub. L. 95-94, title I, § 109, Aug. 5, 1977, 91 Stat. 661; Pub. L. 95-355, title I, Sept. 8, 1978, 92 Stat. 532; Pub. L. 98-63, title I, § 101, July 30, 1983, 97 Stat. 333; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 108-7, div. H, title I, § 1(b)(1), (c), Feb. 20, 2003, 117 Stat. 349; Pub. L. 108-447, div. G, title I, § 13(a)(1), Dec. 8, 2004, 118 Stat. 3171.)

### CODIFICATION

Section is based on the three provisos in paragraph under heading "Expense Allowances of the Vice President, Majority and Minority Leaders and Majority and Minority Whips" in the appropriation for the Senate in the Supplemental Appropriations Act, 1977 (Pub. L. 95-26), and section 109 of the Congressional Operations Appropriation Act, 1978, which is title I of the Legislative Branch Appropriation Act, 1978 (Pub. L. 95-94), and subsequent acts cited in the credits to this section.

### AMENDMENTS

2004—Pub. L. 108-447 substituted "\$40,000" for "\$20,000".

2003—Pub. L. 108-7 substituted "\$20,000" for "\$10,000" and "not exceed \$10,000" for "not exceed \$5,000".

1986—Pub. L. 99-514 substituted "Internal Revenue Code of 1986" for "Internal Revenue Code of 1954", which for purposes of codification was translated as "title 26" thus requiring no change in text.

1983—Pub. L. 98-63 substituted provisions increasing allowances for each Whip to \$5,000 each fiscal year, effective fiscal year 1983 and each fiscal year thereafter, for provisions authorizing not to exceed \$2,500 each fiscal year for each Whip, effective Apr. 1, 1977.

1978—Pub. L. 95-355 substituted provisions increasing allowances for each leader to \$10,000 each fiscal year,