

the results of an election. (Feb. 28, 1925, ch. 368, title III, § 315, 43 Stat. 1074.)

#### REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is now covered by section 602 of Title 18, Crimes and Criminal Procedure.

#### § 251. State laws not affected.

This chapter and section 208 of Title 18 shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this chapter and section 208 of Title 18, or to exempt any candidate from complying with such State laws. (Feb. 28, 1925, ch. 368, title III, § 316, 43 Stat. 1074.)

#### REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is now covered by section 602 of Title 18, Crimes and Criminal Procedure.

#### § 255. Partial invalidity.

If any provision of this chapter and section 208 of Title 18, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of said chapter and section and of the application of such provision to other persons and circumstances shall not be affected thereby. (Feb. 28, 1925, ch. 368, title III, § 317, 43 Stat. 1074.)

#### REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is now covered by section 602 of Title 18, Crimes and Criminal Procedure.

#### § 256. Citation.

This chapter and section 208 of Title 18 may be cited as the "Federal Corrupt Practices Act." (Feb. 28, 1925, ch. 368, title III, § 301, 43 Stat. 1070.)

#### REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is now covered by section 602 of Title 18, Crimes and Criminal Procedure.

### Chapter 8A.—REGULATION OF LOBBYING

Sec.

- 261. Definitions.
- 262. Detailed accounts of contributions; retention of receipted bills of expenditures.
- 263. Receipts for contributions.
- 264. Statements of accounts filed with Clerk of House.
- 265. Preservation of statements.
- 266. Persons to whom chapter is applicable.
- 267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information.
- 268. Reports and statements under oath.
- 269. Penalties and prohibitions.
- 270. Exemptions from chapter.

#### CROSS REFERENCES

Corrupt practices, see chapter 8 of this title.

Hatch Political Activity Act to restrain pernicious political activity, see sections 594, 595, 598, 600, 601, 604, 605, and 608 of Title 18, Crimes and Criminal Procedure, and sections 1181, and 118k—118n of Title 5, Executive Departments and Government Officers and Employees.

#### § 261. Definitions.

When used in this chapter—

- (a) The term "contribution" includes a gift, sub-

scription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(e) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House. (Aug. 2, 1946, ch. 753, title III, § 302, 60 Stat. 839.)

#### AUTHORIZATION OF APPROPRIATIONS

Section 244 of act Aug. 2, 1946, provided in part: "All necessary funds required to carry out the provisions of this Act [Legislative Reorganization Act of 1946], by the Secretary of the Senate and the Clerk of the House, are hereby authorized to be appropriated."

Section 244 was made effective as of Aug. 2, 1946, by section 245 of said act Aug. 2, 1946.

For distribution of Legislative Reorganization Act of 1946 in this Code, see "Short Title" note under section 72a of this title.

#### SHORT TITLE

Section 301 of act Aug. 2, 1946, provided that act Aug. 2, 1946, which is classified to sections 261—270 of this title, shall be popularly known as the "Federal Regulation of Lobbying Act".

#### § 262. Detailed accounts of contributions; retention of receipted bills of expenditures.

(a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of—

- (1) all contributions of any amount or of any value whatsoever;
- (2) the name and address of every person making any such contribution of \$500 or more and the date thereof;
- (3) all expenditures made by or on behalf of such organization or fund; and
- (4) the name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill, stating the particulars, for every expenditure of such funds exceeding \$10 in amount, and to preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items. (Aug. 2, 1946, ch. 753, title III, § 303, 60 Stat. 840.)

#### § 263. Receipts for contributions.

Every individual who receives a contribution of \$500 or more for any of the purposes hereinafter designated shall within five days after receipt thereof rendered<sup>1</sup> to the person or organization for which such contribution was received a detailed account

<sup>1</sup>So in original.

thereof, including the name and address of the person making such contribution and the date on which received. (Aug. 2, 1946, ch. 753, title III, § 304, 60 Stat. 840.)

**§ 264. Statements of accounts filed with Clerk of House.**

(a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of section 266 of this title shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

(1) the name and address of each person who has made a contribution of \$500 or more not mentioned in the preceding report; except that the first report filed pursuant to this chapter shall contain the name and address of each person who has made any contribution of \$500 or more to such person since August 2, 1946;

(2) the total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (1) of this subsection;

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) the total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4) of this subsection;

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward. (Aug. 2, 1946, ch. 753, title III, § 305, 60 Stat. 840.)

**§ 265. Preservation of statements.**

A statement required by this chapter to be filed with the Clerk—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk of the House of Representatives of the United States, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk of its nonreceipt;

(b) shall be preserved by the Clerk for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection.

(Aug. 2, 1946, ch. 753, title III, § 306, 60 Stat. 841.)

**§ 266. Persons to whom chapter is applicable.**

The provisions of this chapter shall apply to any person (except a political committee as defined in

the Federal Corrupt Practices Act, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States.

(Aug. 2, 1946, ch. 753, title III, § 307, 60 Stat. 841.)

**REFERENCES IN TEXT**

The Federal Corrupt Practices Act, referred to in the text, is classified to chapter 8 of this title.

**§ 267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information.**

(a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

(b) All information required to be filed under the provisions of this section with the Clerk of the

House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record. (Aug. 2, 1946, ch. 753, title III, § 308, 60 Stat. 841.)

#### § 268. Reports and statements under oath.

All reports and statements required under this chapter shall be made under oath, before an officer authorized by law to administer oaths. (Aug. 2, 1946, ch. 753, title III, § 309, 60 Stat. 842.)

#### § 269. Penalties and prohibitions.

(a) Any person who violates any of the provisions of this chapter, shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than \$5,000 or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a) of this section, any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than \$10,000, or imprisonment for not more than five years, or by both such fine and imprisonment. (Aug. 2, 1946, ch. 753, title III, § 310, 60 Stat. 842.)

#### § 270. Exemptions from chapter.

The provisions of this chapter shall not apply to practices or activities regulated by the Federal Corrupt Practices Act nor be construed as repealing any portion of said Federal Corrupt Practices Act. (Aug. 2, 1946, ch. 753, title III, § 311, 60 Stat. 842.)

#### REFERENCES IN TEXT

The Federal Corrupt Practices Act, referred to in the text, is classified to chapter 8 of this title.

### Chapter 9.—OFFICE OF LEGISLATIVE COUNSEL

#### Sec.

- 271. Creation of office.
- 272. Appointment of legislative counsel; qualifications.
- 273. Compensation of legislative counsel.
- 274. Assistant legislative counsel; clerks and employees; office equipment and supplies.
- 275. Duties of office; rules and regulations.
- 276. Disbursement of appropriations.
- 277. Official mail matter.

#### CHANGES IN NAMES

Act June 2, 1924, ch. 234, § 1101, 43 Stat. 353, classified to sections 271—277 of this title, changed legislative drafting service to office of the legislative counsel, and draftsman to legislative counsel.

#### § 271. Creation of office.

There shall be an office to be known as the office of the legislative counsel, and to be under the direction of two legislative counsels. (Feb. 24, 1919, ch. 18, § 1303 (a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353.)

#### APPROPRIATIONS

Section 204 of act Aug. 2, 1946, ch. 753, 60 Stat. 812, provided:

"There is hereby authorized to be appropriated for the work of the Office of the Legislative Counsel the following sums:

- "(1) For the fiscal year ending June 30, 1947, \$150,000;
- "(2) For the fiscal year ending June 30, 1948, \$200,000;
- "(3) For the fiscal year ending June 30, 1949, \$250,000;
- "(4) For the fiscal year ending June 30, 1950, \$250,000;

and

"(5) For each fiscal year thereafter such sums as may be necessary to carry on the work of the Office."

Section 204 was made effective Aug. 2, 1946, by section 245 of act Aug. 2, 1946.

#### § 272. Appointment of legislative counsel; qualifications.

One of the legislative counsel shall be appointed by the President pro tempore of the Senate, and one by the Speaker of the House of Representatives, without reference to political affiliations and solely on the ground of fitness to perform the duties of the office. (Feb. 24, 1919, ch. 18, § 1303 (a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353; Sept. 20, 1941, ch. 412, title VI, § 602, 55 Stat. 726.)

#### AMENDMENTS

1941—Act Sept. 20, 1941, substituted "President pro tempore of the Senate" for "President of the Senate."

#### § 273. Compensation of legislative counsel.

The positions of legislative counsel shall be allocated from time to time by the President pro tempore of the Senate and the Speaker of the House of Representatives, jointly, to the appropriate grade in the compensation schedules of section 1112 of Title 5. The rate of compensation of each of the two legislative counsel shall be fixed from time to time, within the limits of such grade, by the President pro tempore of the Senate and the Speaker of the House of Representatives, respectively. Notwithstanding the foregoing provisions, the gross annual compensation of the Legislative Counsel of the Senate shall be \$27,500 per annum. Notwithstanding any other provision of law, the annual rate of compensation of the Legislative Counsel of the House of Representatives shall be an amount which is equal to \$15,000, increased by an amount which is the same percentage of \$15,000 as the percentage set forth in section 4 (c) of the Federal Employees Salary Increase Act of 1955. (Feb. 24, 1919, ch. 18, § 1303 (d), as added June 2, 1924, ch. 234, § 1101, 43 Stat. 353, and amended Mar. 10, 1928, ch. 167, § 23 (a), 45 Stat. 279; June 18, 1940, ch. 396, § 1, 54 Stat. 472; Sept. 20, 1941, ch. 412, title VI, § 602, 55 Stat. 726; Oct. 15, 1949, ch. 695, § 6 (c), 63 Stat. 881; Aug. 5, 1955, ch. 568, §§ 9, 101, 69 Stat. 509, 514; July 1, 1957, Pub. L. 85-75, § 101, 71 Stat. 250; Aug. 14, 1964, Pub. L. 88-426, title II, § 203(g), 78 Stat. 415.)

#### REFERENCES IN TEXT

Section 4 (c) of the Federal Employees Salary Increase Act of 1955, referred to in the text, is classified as a note under section 60a of this title.

#### AMENDMENTS

1964—Pub. L. 88-426 provided that the compensation of the Legislative Counsel of the Senate shall be at the rate of \$27,500 per annum.

1957—Pub. L. 85-75 increased the gross compensation of the Legislative Counsel of the Senate from \$15,500 to \$17,500 per annum.