

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

# S. RES. 275

To amend the Senate gift rule.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Mr. WELLSTONE (for himself, Mr. FEINGOLD, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Rules and Administration

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## RESOLUTION

To amend the Senate gift rule.

1       *Resolved*, That rule XXXV of the Standing Rules of  
2 the Senate is amended by inserting the following:

3       **SEC. \_\_\_\_ . AMENDMENTS TO SENATE RULES.**

4       The text of rule XXXV of the Standing Rules of the  
5 Senate is amended to read as follows:

6       “1. No member, officer, or employee of the Senate  
7 shall accept a gift, knowing that such gift is provided by  
8 a lobbyist, a lobbying firm, or an agent of a foreign prin-  
9 cipal registered under the Foreign Agents Registration  
10 Act of 1938 (22 U.S.C. 611 et seq.) in violation of this  
11 rule.

1       “2. (a) In addition to the restriction on receiving gifts  
2 from registered lobbyists, lobbying firms, and agents of  
3 foreign principals provided by paragraph 1 and except as  
4 provided in this rule, no member, officer, or employee of  
5 the Senate shall knowingly accept a gift from any other  
6 person.

7       “(b)(1) For the purpose of this rule, the term ‘gift’  
8 means any gratuity, favor, discount, entertainment, hospi-  
9 tality, loan, forbearance, or other item having monetary  
10 value. The term includes gifts of services, training, trans-  
11 portation, lodging, and meals, whether provided in kind,  
12 by purchase of a ticket, payment in advance, or reimburse-  
13 ment after the expense has been incurred.

14       “(2) A gift to the spouse or dependent of a member,  
15 officer, or employee (or a gift to any other individual based  
16 on that individual’s relationship with the member, officer,  
17 or employee) shall be considered a gift to the member, offi-  
18 cer, or employee if it is given with the knowledge and ac-  
19 quiescence of the member, officer, or employee and the  
20 member, officer, or employee has reason to believe the gift  
21 was given because of the official position of the member,  
22 officer, or employee.

23       “(c) The restrictions in subparagraph (a) shall apply  
24 to the following:

1           “(1) Anything provided by a lobbyist or a for-  
2           foreign agent which is paid for, charged to, or reim-  
3           bursed by a client or firm of such lobbyist or foreign  
4           agent.

5           “(2) Anything provided by a lobbyist, a lobby-  
6           ing firm, or a foreign agent to an entity that is  
7           maintained or controlled by a member, officer, or  
8           employee of the Senate.

9           “(3) A charitable contribution (as defined in  
10          section 170(c) of the Internal Revenue Code of  
11          1986) made by a lobbyist, a lobbying firm, or a for-  
12          foreign agent on the basis of a designation, rec-  
13          ommendation, or other specification of a member, of-  
14          ficer, or employee of the Senate (not including a  
15          mass mailing or other solicitation directed to a  
16          broad category of persons or entities).

17          “(4) A contribution or other payment by a lob-  
18          byist, a lobbying firm, or a foreign agent to a legal  
19          expense fund established for the benefit of a mem-  
20          ber, officer, or employee of the Senate.

21          “(5) A charitable contribution (as defined in  
22          section 170(c) of the Internal Revenue Code of  
23          1986) made by a lobbyist, a lobbying firm, or a for-  
24          foreign agent in lieu of an honorarium to a member,  
25          officer, or employee of the Senate.

1           “(6) A financial contribution or expenditure  
2       made by a lobbyist, a lobbying firm, or a foreign  
3       agent relating to a conference, retreat, or similar  
4       event, sponsored by or affiliated with an official con-  
5       gressional organization, for or on behalf of members,  
6       officers, or employees of the Senate.

7           “(d) The restrictions in subparagraph (a) shall not  
8       apply to the following:

9           “(1) Anything for which the member, officer, or  
10       employee pays the market value, or does not use and  
11       promptly returns to the donor.

12           “(2) A contribution, as defined in the Federal  
13       Election Campaign Act of 1971 (2 U.S.C. 431 et  
14       seq.) that is lawfully made under that Act, or at-  
15       tendance at a fundraising event sponsored by a po-  
16       litical organization described in section 527(e) of the  
17       Internal Revenue Code of 1986.

18           “(3) Anything provided by an individual on the  
19       basis of a personal or family relationship unless the  
20       member, officer, or employee has reason to believe  
21       that, under the circumstances, the gift was provided  
22       because of the official position of the member, offi-  
23       cer, or employee and not because of the personal or  
24       family relationship. The Select Committee on Ethics  
25       shall provide guidance on the applicability of this

1 clause and examples of circumstances under which a  
2 gift may be accepted under this exception.

3 “(4) A contribution or other payment to a legal  
4 expense fund established for the benefit of a mem-  
5 ber, officer, or employee, that is otherwise lawfully  
6 made, if the person making the contribution or pay-  
7 ment is identified for the Select Committee on  
8 Ethics.

9 “(5) Any food or refreshments which the recipi-  
10 ent reasonably believes to have a value of less than  
11 \$20.

12 “(6) Any gift from another member, officer, or  
13 employee of the Senate or the House of Representa-  
14 tives.

15 “(7) Food, refreshments, lodging, and other  
16 benefits—

17 “(A) resulting from the outside business or  
18 employment activities (or other outside activi-  
19 ties that are not connected to the duties of the  
20 member, officer, or employee as an officeholder)  
21 of the member, officer, or employee, or the  
22 spouse of the member, officer, or employee, if  
23 such benefits have not been offered or enhanced  
24 because of the official position of the member,

1 officer, or employee and are customarily pro-  
2 vided to others in similar circumstances;

3 “(B) customarily provided by a prospective  
4 employer in connection with bona fide employ-  
5 ment discussions; or

6 “(C) provided by a political organization  
7 described in section 527(e) of the Internal Rev-  
8 enue Code of 1986 in connection with a fund-  
9 raising or campaign event sponsored by such an  
10 organization.

11 “(8) Pension and other benefits resulting from  
12 continued participation in an employee welfare and  
13 benefits plan maintained by a former employer.

14 “(9) Informational materials that are sent to  
15 the office of the member, officer, or employee in the  
16 form of books, articles, periodicals, other written  
17 materials, audio tapes, videotapes, or other forms of  
18 communication.

19 “(10) Awards or prizes which are given to com-  
20 petitors in contests or events open to the public, in-  
21 cluding random drawings.

22 “(11) Honorary degrees (and associated travel,  
23 food, refreshments, and entertainment) and other  
24 bona fide, nonmonetary awards presented in recogni-  
25 tion of public service (and associated food, refresh-

1       ments, and entertainment provided in the presen-  
2       tation of such degrees and awards).

3           “(12) Donations of products from the State  
4       that the member represents that are intended pri-  
5       marily for promotional purposes, such as display or  
6       free distribution, and are of minimal value to any in-  
7       dividual recipient.

8           “(13) Food, refreshments, and entertainment  
9       provided to a member or an employee of a member  
10      in the member’s home State, subject to reasonable  
11      limitations, to be established by the Committee on  
12      Rules and Administration.

13          “(14) An item of little intrinsic value such as  
14      a greeting card, baseball cap, or a T-shirt.

15          “(15) Training (including food and refresh-  
16      ments furnished to all attendees as an integral part  
17      of the training) provided to a member, officer, or  
18      employee, if such training is in the interest of the  
19      Senate.

20          “(16) Bequests, inheritances, and other trans-  
21      fers at death.

22          “(17) Any item, the receipt of which is author-  
23      ized by the Foreign Gifts and Decorations Act, the  
24      Mutual Educational and Cultural Exchange Act, or  
25      any other statute.

1           “(18) Anything which is paid for by the Federal  
2           Government, by a State or local government, or se-  
3           cured by the Government under a Government con-  
4           tract.

5           “(19) A gift of personal hospitality of an indi-  
6           vidual, as defined in section 109(14) of the Ethics  
7           in Government Act.

8           “(20) Free attendance at a widely attended  
9           event permitted pursuant to subparagraph (e).

10          “(21) Opportunities and benefits which are—

11               “(A) available to the public or to a class  
12               consisting of all Federal employees, whether or  
13               not restricted on the basis of geographic consid-  
14               eration;

15               “(B) offered to members of a group or  
16               class in which membership is unrelated to con-  
17               gressional employment;

18               “(C) offered to members of an organiza-  
19               tion, such as an employees’ association or con-  
20               gressional credit union, in which membership is  
21               related to congressional employment and similar  
22               opportunities are available to large segments of  
23               the public through organizations of similar size;

24               “(D) offered to any group or class that is  
25               not defined in a manner that specifically dis-



1           criminate among Government employees on the  
2           basis of branch of Government or type of re-  
3           sponsibility, or on a basis that favors those of  
4           higher rank or rate of pay;

5           “(E) in the form of loans from banks and  
6           other financial institutions on terms generally  
7           available to the public; or

8           “(F) in the form of reduced membership or  
9           other fees for participation in organization ac-  
10          tivities offered to all Government employees by  
11          professional organizations if the only restric-  
12          tions on membership relate to professional  
13          qualifications.

14          “(22) A plaque, trophy, or other memento of  
15          modest value.

16          “(23) Anything for which, in an unusual case,  
17          a waiver is granted by the Select Committee on Eth-  
18          ics.

19          “(e)(1) Except as prohibited by paragraph 1, a mem-  
20          ber, officer, or employee may accept an offer of free at-  
21          tendance at a widely attended convention, conference,  
22          symposium, forum, panel discussion, dinner, viewing, re-  
23          ception, or similar event, provided by the sponsor of the  
24          event, if—

1           “(A) the member, officer, or employee partici-  
2       pates in the event as a speaker or a panel partici-  
3       pant, by presenting information related to Congress  
4       or matters before Congress, or by performing a cere-  
5       monial function appropriate to the member’s, offi-  
6       cer’s, or employee’s official position; or

7           “(B) attendance at the event is appropriate to  
8       the performance of the official duties or representa-  
9       tive function of the member, officer, or employee.

10       “(2) A member, officer, or employee who attends an  
11      event described in clause (1) may accept a sponsor’s unso-  
12      licited offer of free attendance at the event for an accom-  
13      panying individual if others in attendance will generally  
14      be similarly accompanied or if such attendance is appro-  
15      priate to assist in the representation of the Senate.

16       “(3) Except as prohibited by paragraph 1, a member,  
17      officer, or employee, or the spouse or dependent thereof,  
18      may accept a sponsor’s unsolicited offer of free attendance  
19      at a charity event, except that reimbursement for trans-  
20      portation and lodging may not be accepted in connection  
21      with the event.

22       “(4) For purposes of this paragraph, the term ‘free  
23      attendance’ may include waiver of all or part of a con-  
24      ference or other fee, the provision of local transportation,  
25      or the provision of food, refreshments, entertainment, and

1 instructional materials furnished to all attendees as an in-  
2 tegral part of the event. The term does not include enter-  
3 tainment collateral to the event, or food or refreshments  
4 taken other than in a group setting with all or substan-  
5 tially all other attendees.

6 “(f)(1) No member, officer, or employee may accept  
7 a gift the value of which exceeds \$250 on the basis of  
8 the personal relationship exception in subparagraph (d)(3)  
9 or the close personal friendship exception in clause (2) un-  
10 less the Select Committee on Ethics issues a written deter-  
11 mination that one of such exceptions applies.

12 “(2)(A) A gift given by an individual under cir-  
13 cumstances which make it clear that the gift is given for  
14 a nonbusiness purpose and is motivated by a family rela-  
15 tionship or close personal friendship and not by the posi-  
16 tion of the member, officer, or employee of the Senate  
17 shall not be subject to the prohibition in clause (1).

18 “(B) A gift shall not be considered to be given for  
19 a nonbusiness purpose if the individual giving the gift  
20 seeks—

21 “(i) to deduct the value of such gift as a busi-  
22 ness expense on the individual’s Federal income tax  
23 return, or

1           “(ii) direct or indirect reimbursement or any  
2           other compensation for the value of the gift from a  
3           client or employer of such lobbyist or foreign agent.

4           “(C) In determining if the giving of a gift is moti-  
5           vated by a family relationship or close personal friendship,  
6           at least the following factors shall be considered:

7           “(i) The history of the relationship between the  
8           individual giving the gift and the recipient of the  
9           gift, including whether or not gifts have previously  
10          been exchanged by such individuals.

11          “(ii) Whether the gift was purchased by the in-  
12          dividual who gave the item.

13          “(iii) Whether the individual who gave the gift  
14          also at the same time gave the same or similar gifts  
15          to other members, officers, or employees of the Sen-  
16          ate.

17          “(g)(1) The Committee on Rules and Administration  
18          is authorized to adjust the dollar amount referred to in  
19          subparagraph (d)(5) on a periodic basis, to the extent nec-  
20          essary to adjust for inflation.

21          “(2) The Select Committee on Ethics shall provide  
22          guidance setting forth reasonable steps that may be taken  
23          by members, officers, and employees, with a minimum of  
24          paperwork and time, to prevent the acceptance of prohib-  
25          ited gifts from lobbyists.

1       “(3) When it is not practicable to return a tangible  
2 item because it is perishable, the item may, at the discre-  
3 tion of the recipient, be given to an appropriate charity  
4 or destroyed.

5       “3. (a)(1) Except as prohibited by paragraph 1, a re-  
6 imbursement (including payment in kind) to a member,  
7 officer, or employee for necessary transportation, lodging  
8 and related expenses for travel to a meeting, speaking en-  
9 gagement, factfinding trip or similar event in connection  
10 with the duties of the member, officer, or employee as an  
11 officeholder shall be deemed to be a reimbursement to the  
12 Senate and not a gift prohibited by this rule, if the mem-  
13 ber, officer, or employee—

14           “(A) in the case of an employee, receives ad-  
15 vance authorization, from the member or officer  
16 under whose direct supervision the employee works,  
17 to accept reimbursement, and

18           “(B) discloses the expenses reimbursed or to be  
19 reimbursed and the authorization to the Secretary of  
20 the Senate within 30 days after the travel is com-  
21 pleted.

22       “(2) For purposes of clause (1), events, the activities  
23 of which are substantially recreational in nature, shall not  
24 be considered to be in connection with the duties of a  
25 member, officer, or employee as an officeholder.

1       “(b) Each advance authorization to accept reimburse-  
2 ment shall be signed by the member or officer under whose  
3 direct supervision the employee works and shall include—

4               “(1) the name of the employee;

5               “(2) the name of the person who will make the  
6 reimbursement;

7               “(3) the time, place, and purpose of the travel;  
8 and

9               “(4) a determination that the travel is in con-  
10 nection with the duties of the employee as an office-  
11 holder and would not create the appearance that the  
12 employee is using public office for private gain.

13       “(c) Each disclosure made under subparagraph  
14 (a)(1) of expenses reimbursed or to be reimbursed shall  
15 be signed by the member or officer (in the case of travel  
16 by that Member or officer) or by the member or officer  
17 under whose direct supervision the employee works (in the  
18 case of travel by an employee) and shall include—

19               “(1) a good faith estimate of total transpor-  
20 tation expenses reimbursed or to be reimbursed;

21               “(2) a good faith estimate of total lodging ex-  
22 penses reimbursed or to be reimbursed;

23               “(3) a good faith estimate of total meal ex-  
24 penses reimbursed or to be reimbursed;

1           “(4) a good faith estimate of the total of other  
2           expenses reimbursed or to be reimbursed;

3           “(5) a determination that all such expenses are  
4           necessary transportation, lodging, and related ex-  
5           penses as defined in this paragraph; and

6           “(6) in the case of a reimbursement to a mem-  
7           ber or officer, a determination that the travel was in  
8           connection with the duties of the member or officer  
9           as an officeholder and would not create the appear-  
10          ance that the member or officer is using public office  
11          for private gain.

12          “(d) For the purposes of this paragraph, the term  
13          ‘necessary transportation, lodging, and related ex-  
14          penses’—

15               “(1) includes reasonable expenses that are nec-  
16               essary for travel for a period not exceeding 3 days  
17               exclusive of traveltime within the United States or 7  
18               days exclusive of traveltime outside of the United  
19               States unless approved in advance by the Select  
20               Committee on Ethics;

21               “(2) is limited to reasonable expenditures for  
22               transportation, lodging, conference fees and mate-  
23               rials, and food and refreshments, including reim-  
24               bursement for necessary transportation, whether or

1 not such transportation occurs within the periods de-  
2 scribed in clause (1);

3 “(3) does not include expenditures for rec-  
4 reational activities, or entertainment other than that  
5 provided to all attendees as an integral part of the  
6 event; and

7 “(4) may include travel expenses incurred on  
8 behalf of either the spouse or a child of the member,  
9 officer, or employee, subject to a determination  
10 signed by the member or officer (or in the case of  
11 an employee, the member or officer under whose di-  
12 rect supervision the employee works) that the at-  
13 tendance of the spouse or child is appropriate to as-  
14 sist in the representation of the Senate.

15 “(e) The Secretary of the Senate shall make available  
16 to the public all advance authorizations and disclosures  
17 of reimbursement filed pursuant to subparagraph (a) as  
18 soon as possible after they are received.

19 “4. In this rule:

20 “(a) The term “client” means any person or en-  
21 tity that employs or retains another person for fi-  
22 nancial or other compensation to conduct lobbying  
23 activities on behalf of that person or entity. A per-  
24 son or entity whose employees act as lobbyists on its  
25 own behalf is both a client and an employer of such



1 employees. In the case of a coalition or association  
2 that employs or retains other persons to conduct lob-  
3 bying activities, the client is—

4 “(1) the coalition or association and not its  
5 individual members when the lobbying activities  
6 are conducted on behalf of its membership and  
7 financed by the coalition’s or association’s dues  
8 and assessments; or

9 “(2) an individual member or members,  
10 when the lobbying activities are conducted on  
11 behalf of, and financed separately by, 1 or more  
12 individual members and not by the coalition’s or  
13 association’s dues and assessments.

14 “(b)(1) The term “lobbying contact” means any  
15 oral or written communication (including an elec-  
16 tronic communication) to a member, officer, or em-  
17 ployee of the Senate that is made on behalf of a cli-  
18 ent with regard to the formulation, modification, or  
19 adoption of Federal legislation (including legislative  
20 proposals) or the nomination or confirmation of a  
21 person for a position subject to confirmation by the  
22 Senate.

23 “(2) The term “lobbying contact” does not in-  
24 clude a communication that is—

1           “(A) made by a public official acting in the  
2 public official’s official capacity;

3           “(B) made by a representative of a media  
4 organization if the purpose of the communica-  
5 tion is gathering and disseminating news and  
6 information to the public;

7           “(C) made in a speech, article, publication  
8 or other material that is widely distributed to  
9 the public, or through radio, television, cable  
10 television, or other medium of mass communica-  
11 tion;

12           “(D) made on behalf of a government of a  
13 foreign country or a foreign political party and  
14 disclosed under the Foreign Agents Registra-  
15 tion Act of 1938 (22 U.S.C. 611 et seq.);

16           “(E) a request for a meeting, a request for  
17 the status of an action, or any other similar ad-  
18 ministrative request, if the request does not in-  
19 clude an attempt to influence a member, officer,  
20 or employee of the Senate;

21           “(F) made in the course of participation in  
22 an advisory committee subject to the Federal  
23 Advisory Committee Act;

24           “(G) testimony given before a committee,  
25 subcommittee, or task force of the Congress, or

1 submitted for inclusion in the public record of  
2 a hearing conducted by such committee, sub-  
3 committee, or task force;

4 “(H) information provided in writing in re-  
5 sponse to a written request by a member, offi-  
6 cer, or employee of the Senate for specific infor-  
7 mation;

8 “(I) required by subpoena, civil investiga-  
9 tive demand, or otherwise compelled by statute,  
10 regulation, or other action of the Congress or  
11 an agency;

12 “(J) made on behalf of an individual with  
13 regard to that individual’s benefits, employ-  
14 ment, or other personal matters involving only  
15 that individual, except that this subclause does  
16 not apply to any communication with a mem-  
17 ber, officer, or employee of the Senate (other  
18 than the individual’s elected Senators or em-  
19 ployees who work under such Senators’ direct  
20 supervision) with respect to the formulation,  
21 modification, or adoption of private legislation  
22 for the relief of that individual;

23 “(K) a disclosure by an individual that is  
24 protected under the amendments made by the  
25 Whistleblower Protection Act of 1989, under

1 the Inspector General Act of 1978, or under an-  
2 other provision of law; or

3 “(L) made by—

4 “(i) a church, its integrated auxiliary,  
5 or a convention or association of churches  
6 that is exempt from filing a Federal in-  
7 come tax return under paragraph 2(A)(i)  
8 of section 6033(a) of the Internal Revenue  
9 Code of 1986, or

10 “(ii) a religious order that is exempt  
11 from filing a Federal income tax return  
12 under paragraph (2)(A)(iii) of such section  
13 6033(a),

14 if the communication constitutes the free exercise of  
15 religion or is for the purpose of protecting the right  
16 to the free exercise of religion.

17 “(c)(1) The term “lobbying firm”—

18 “(A) means a person or entity that has 1  
19 or more employees who are lobbyists on behalf  
20 of a client other than that person or entity; and

21 “(B) includes a self-employed individual  
22 who is a lobbyist; but

23 “(C) does not include a person or entity  
24 whose—

1 (i) total income for matters related to  
2 lobbying activities on behalf of a particular  
3 client (in the case of a lobbying firm) does  
4 not exceed and is not expected to exceed  
5 \$2,500; or

6 (ii) total expenses in connection with  
7 lobbying activities (in the case of an orga-  
8 nization whose employees engage in lobby-  
9 ing activities on its own behalf) do not ex-  
10 ceed or are not expected to exceed \$5,000,  
11 (as estimated in accordance with standards is-  
12 sued by the Committee on Rules and Adminis-  
13 tration) in the preceding semiannual period of  
14 January through June or July through  
15 December.

16 “(2) The dollar amounts in clause (1) shall be  
17 adjusted—

18 “(A) on January 1, 1997, to reflect  
19 changes in the Consumer Price Index (as deter-  
20 mined by the Secretary of Labor) since the date  
21 of enactment of this title; and

22 “(B) on January 1 of each fourth year oc-  
23 ccurring after January 1, 1997, to reflect  
24 changes in the Consumer Price Index (as deter-

1           mined by the Secretary of Labor) during the  
2           preceding 4-year period,  
3           rounded to the nearest \$500.

4           “(d)(1) The term “lobbyist”—

5                 “(A) means any individual who is employed  
6                 or retained by a client for financial or other  
7                 compensation for services that include one or  
8                 more lobbying contacts, other than an individ-  
9                 ual whose lobbying activities constitute less  
10                than 10 percent of the time engaged in the  
11                services provided by such individual to that cli-  
12                ent; but

13               “(B) does not include an individual  
14               whose—

15                       (i) total income for matters related to  
16                       lobbying activities on behalf of a particular  
17                       client (in the case of a lobbying firm) does  
18                       not exceed and is not expected to exceed  
19                       \$2,500; or

20                       (ii) total expenses in connection with  
21                       lobbying activities (in the case of an orga-  
22                       nization whose employees engage in lobby-  
23                       ing activities on its own behalf) do not ex-  
24                       ceed or are not expected to exceed \$5,000,

1 (as estimated in accordance with standards is-  
2 sued by the Committee on Rules and Adminis-  
3 tration) in the preceding semiannual period of  
4 January through June or July through  
5 December.

6 “(2) The dollar amounts in clause (1) shall be  
7 adjusted—

8 “(A) on January 1, 1997, to reflect  
9 changes in the Consumer Price Index (as deter-  
10 mined by the Secretary of Labor) since the date  
11 of enactment of this title; and

12 “(B) on January 1 of each fourth year oc-  
13 ccurring after January 1, 1997, to reflect  
14 changes in the Consumer Price Index (as deter-  
15 mined by the Secretary of Labor) during the  
16 preceding 4-year period,  
17 rounded to the nearest \$500.

18 “(e) The term “public official” means any elect-  
19 ed official, appointed official, or employee of—

20 “(1) a Federal, State, or local unit of gov-  
21 ernment in the United States other than—

22 “(A) a college or university;

23 “(B) a government-sponsored enter-  
24 prise (as defined in section 3(8) of the

1 Congressional Budget and Impoundment  
2 Control Act of 1974);

3 “(C) a public utility that provides gas,  
4 electricity, water, or communications;

5 “(D) a guaranty agency (as defined in  
6 section 435(j) of the Higher Education Act  
7 of 1965 (20 U.S.C. 1085(j))), including  
8 any affiliate of such an agency; or

9 “(E) an agency of any State function-  
10 ing as a student loan secondary market  
11 pursuant to section 435(d)(1)(F) of the  
12 Higher Education Act of 1965 (20 U.S.C.  
13 1085(d)(1)(F));

14 “(2) a Government corporation (as defined  
15 in section 9101 of title 31, United States  
16 Code);

17 “(3) an organization of State or local elect-  
18 ed or appointed officials other than officials of  
19 an entity described in subclause (A), (B), (C),  
20 (D), or (E) of clause (1);

21 “(4) an Indian tribe (as defined in section  
22 4(e) of the Indian Self-Determination and Edu-  
23 cation Assistance Act (25 U.S.C. 450b(e));

24 “(5) a national or State political party or  
25 any organizational unit thereof; or



1           “(6) a national, regional, or local unit of  
2           any foreign government.

3           “(f) The term “State” means each of the sev-  
4           eral States, the District of Columbia, and any com-  
5           monwealth, territory, or possession of the United  
6           States.”.



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