

zation that is described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of title 26. A donation under this paragraph—

(A) shall be at no cost to the Government; and

(B) may be made only if the used equipment has no recoverable value because disposal in accordance with paragraph (1), under the most favorable terms available to the Government, would result in a loss to the Government.

(3) The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this subsection.

(4) As used in this section—

(A) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

(B) the term “used equipment” means such used or surplus equipment (including furniture and motor vehicles) as the Committee on House Administration of the House of Representatives may prescribe by regulation.

(Pub. L. 99-500, §101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(j), Oct. 30, 1986, 100 Stat. 3341-287; Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425; Pub. L. 101-163, title I, §103(a), Nov. 21, 1989, 103 Stat. 1049.)

CODIFICATION

Section is based on section 104(a) of title I of H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), as incorporated by reference in section 101(j) of Pub. L. 99-500 and 99-591, as amended by Pub. L. 100-71, to be effective as if enacted into law.

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

AMENDMENTS

1989—Par. (1). Pub. L. 101-163, §103(a)(1), (2), designated existing provisions as par. (1) and struck out at end “As used in this section, the term ‘used equipment’ means such used or surplus equipment (including furniture and motor vehicles) as the Committee on House Administration of the House of Representatives may prescribe by regulation.”

Pars. (2) to (4). Pub. L. 101-163, §103(a)(3), added pars. (2) to (4).

PRIOR PROVISIONS

Provisions similar to those in part (1) of this section relating to disposition of receipts from sales of copies of transcripts were contained in former section 84b of this title.

CHANGE OF NAME

Committee on House Administration of House of Representatives treated as referring to Committee on House Oversight of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Section 103(c) of Pub. L. 101-163 provided that: “The amendments made by subsection (a) [amending this section] and the repeal made by subsection (b) [repealing section 59a of this title] shall take effect on October 1, 1989.”

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-71 provided that the amendment made by Pub. L. 100-71 is effective Oct. 18, 1986.

EFFECTIVE DATE

Section 104(c) of title I of H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), as incor-

porated by reference in section 101(j) of Pub. L. 99-500 and 99-591, as amended by Pub. L. 100-71, to be effective as if enacted into law, provided that: “This section and the amendment made by this section [enacting section 117e of this title and amending section 84b of this title] shall take effect on October 1, 1986.”

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

§ 117f. Commissions and charges for public telephone or telecommunications services; deposit of receipts

(a) Authority of Clerk to receive commissions for providing public telephone service in House occupied areas

Effective October 1, 1988, the Clerk of the House of Representatives is authorized to receive commissions for providing public telephone service in space occupied by the United States House of Representatives.

(b) Authority of Clerk to receive legislative branch charges for provision of telephone or telecommunications services; exception

The Clerk is authorized to receive for deposit, amounts charged to any legislative branch entity, including but not limited to Legislative Service Organizations, the Congressional Budget Office and the Architect of the Capitol, for the provision of telephone or telecommunications services: *Provided*, That no amounts charged to the official expense allowances of Members of the House shall be deposited in accordance with this section.

(c) Deposit of receipts; availability for expenditure

Receipts from the commissions and charges set forth in subsections (a) and (b) of this section shall be deposited in the United States Treasury for credit to the appropriation for “Salaries and Expenses of the United States House of Representatives”, and shall be available for expenditure upon the approval of the Committee on Appropriations of the House of Representatives.

(Pub. L. 100-458, title III, §306, Oct. 1, 1988, 102 Stat. 2182.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1989.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

§ 117g. Monies received by Attending Physician from sale of prescription drugs or other sources; deposit of receipts

On November 21, 1989, the Office of the Attending Physician Revolving Fund established by the first undesignated paragraph under the center heading "OFFICE OF THE ATTENDING PHYSICIAN REVOLVING FUND" in title III of the Legislative Branch Appropriation Act, 1976 (89 Stat. 283) is abolished and all monies in the Fund on such date or subsequently received by the Attending Physician from the sale of prescription drugs or from any other source shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 101-163, title I, Nov. 21, 1989, 103 Stat. 1051.)

REFERENCES IN TEXT

The first undesignated paragraph under the center heading "OFFICE OF THE ATTENDING PHYSICIAN REVOLVING FUND" in title III of the Legislative Branch Appropriation Act, 1976 [Pub. L. 94-59], referred to in text, is not classified to the Code.

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1990, which is title I of the Legislative Branch Appropriations Act, 1990.

§ 117h. Deposit of fees for services by Office of Attending Physician; availability of amounts deposited

(a) There is established a subaccount in the appropriation account for salaries and expenses of the House of Representatives for the deposit of fees received from Members and officers of the House of Representatives for services provided to such Members and officers by the Office of the Attending Physician. The amounts so deposited shall be available, subject to appropriation, for the operations of the Office of the Attending Physician.

(b) This section shall take effect at the beginning of the first month after October 1992.

(Pub. L. 102-392, title I, §104, Oct. 6, 1992, 106 Stat. 1710.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1993, which is title I of the Legislative Branch Appropriations Act, 1993.

§ 117i. Revolving fund for House gymnasium; deposit of receipts; availability for expenditure

There is established in the Treasury a revolving fund for the House of Representatives gymnasium. The Architect of the Capitol shall deposit in the fund such amounts as the Architect may receive as gymnasium dues or assessments from Members of the House of Representatives and other authorized users of the gymnasium. The amounts so deposited shall be available for obligation by the Architect for expenses of the gymnasium.

(Pub. L. 102-392, title I, §106, Oct. 6, 1992, 106 Stat. 1715.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1993, which is title I of the Legislative Branch Appropriations Act, 1993.

§ 117j. Fees for internal delivery in House of Representatives of nonpostage mail from outside sources

Effective with respect to fiscal years beginning with fiscal year 1995, in the case of mail from outside sources presented to the Chief Administrative Officer of the House of Representatives (other than mail through the Postal Service and mail with postage otherwise paid) for internal delivery in the House of Representatives, the Chief Administrative Officer is authorized to collect fees equal to the applicable postage. Amounts received by the Chief Administrative Officer as fees under the preceding sentence shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 104-53, title I, §101, Nov. 19, 1995, 109 Stat. 520.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

§ 117k. Rebates under Government Travel Charge Card Program

Effective with respect to fiscal years beginning with fiscal year 1995, amounts received by the Chief Administrative Officer of the House of Representatives from the Administrator of General Services for rebates under the Government Travel Charge Card Program shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 104-53, title I, §102, Nov. 19, 1995, 109 Stat. 520.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

§ 118. Actions against officers for official acts

In any action brought against any person for or on account of anything done by him while an officer of either House of Congress in the discharge of his official duty, in executing any order of such House, the United States attorney for the district within which the action is brought, on being thereto requested by the officer sued, shall enter an appearance in behalf of such officer; and all provisions of the eighth section of the Act of July 28, 1866, entitled "An Act to protect the revenue, and for other purposes", and also all provisions of the sections of former Acts therein referred to, so far as the same relate to the removal of suits, the withholding of executions, and the paying of judgments against revenue or other officers of the United States, shall become applicable to such action and to all proceedings and matters whatsoever connected therewith, and the defense of such action shall thenceforth be conducted under the supervision and direction of the Attorney General.

(Mar. 3, 1875, ch. 130, §8, 18 Stat. 401; June 25, 1948, ch. 646, §1, 62 Stat. 909.)

REFERENCES IN TEXT

The provisions of section 8 of act July 28, 1866, ch. 298, 14 Stat. 329, referred to in text, were contained gener-