

istrative assistants as may be necessary in order to carry out the provisions of this Act under their respective jurisdictions.

(Aug. 2, 1946, ch. 753, title II, §244, 60 Stat. 839.)

REFERENCES IN TEXT

This Act, referred to in text, means act Aug. 2, 1946, ch. 753, 60 Stat. 812, as amended, known as the Legislative Reorganization Act of 1946. For complete classification of this Act to the Code, see Short Title note set out under section 72a of this title and Tables.

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 60j of this title.

§ 74c. Compensation of certain House minority employees

Effective January 3, 1977, and until otherwise provided by law, the rate of pay for each of the six positions of minority employee authorized by the Legislative Pay Act of 1929 and referred to in House Resolution 441 of the Ninety-first Congress shall be a per annum gross rate equal to the annual rate of basic pay of level IV of the Executive Schedule of section 5315 of title 5, unless a lower rate is established by the Minority Leader.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

The Legislative Pay Act of 1929, referred to in text, is act June 20, 1929, ch. 33, 46 Stat. 32. For complete classification of this Act to the Code, see Tables.

House Resolution 441, referred to in text, is set out as a Prior Provisions note below.

CODIFICATION

Section is based on section 1 of House Resolution 119, Ninety-fifth Congress, Jan. 19, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in House Resolution 441, Ninety-first Congress, June 17, 1969, as enacted into permanent law by Pub. L. 91-145, §103, Dec. 12, 1969, 83 Stat. 359, which provided:

“That, until otherwise provided by law—

“(1) The six positions of minority employee listed in House Resolution 8, Ninety-first Congress, as supplemented by House Resolution 238, Ninety-first Congress, and House Resolution 265, Ninety-first Congress, are hereby given position titles in the descending order in which those six positions are listed in House Resolution 8, as follows:

“(A) the position title of the position listed first is ‘Floor Assistant to the Minority’;

“(B) the position title of the position listed second is ‘Floor Assistant to the Minority’;

“(C) the position title of the position listed third is ‘Floor Assistant to the Minority’;

“(D) the position title of the position listed fourth is ‘Floor Assistant to the Minority’;

“(E) the position title of the position listed fifth is ‘Pair Clerk to the Minority’; and

“(F) the position title of the position listed sixth is ‘Staff Director to the Minority’.

“(2) Appointments to each position for which a position title is provided by subparagraph (1) of this section shall be made by action of the House of Representatives.

“(3) The rate of pay of each position for which a position title is provided by subparagraph (1) of this section shall be a per annum gross rate equal to the annual rate of basic pay of Level V of the Executive Schedule in section 5316 of title 5, United States Code, unless a different rate is provided for such position by action of the House of Representatives.

“SEC. 2. (a) The first section of this resolution shall not affect or change the appointments or continuity of employment of those employees who hold such positions on the date of adoption of this resolution [June 17, 1969].

“(b) In accordance with the authority of the House of Representatives under subparagraph (3) of the first section of this resolution, the respective per annum gross rates of pay of those positions for which position titles are provided by clauses (C), (D), (E), and (F) of subparagraph (1) of the first section of this resolution are as follows:

“(1) for the position subject to clause (C)—\$29,160;

“(2) for the position subject to clause (D)—\$25,200;

“(3) for the position subject to clause (E)—\$28,440;

and

“(4) for the position subject to subparagraph (F)—\$28,080.

“SEC. 3. This resolution shall become effective as of the beginning of the calendar month in which this resolution is adopted [June 1969].”

DESIGNATION AND COMPENSATION OF THREE FURTHER MINORITY EMPLOYEES

House Resolution No. 7, One Hundred Fourth Congress, Jan. 4, 1995, which was enacted into permanent law by Pub. L. 104-53, title I, §103, Nov. 19, 1995, 109 Stat. 520, provided that: “In addition, the minority leader may appoint and set the annual rate of pay for up to three further minority employees.”

§ 75. Repealed. Pub. L. 92-310, title II, § 220(b), (c), June 6, 1972, 86 Stat. 204

Section, R.S. §§58, 59; act Mar. 2, 1895, ch. 177, § 5, 28 Stat. 807, required Clerk of House of Representatives to give a bond in the sum of \$20,000.

§ 75-1. Compensation of Clerk of House

Until otherwise provided by law, the Clerk of the House of Representatives may be compensated at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

Clause 6(c) of Rule XI of the Rules of the House of Representatives, referred to in text, was amended generally for the One Hundred First Congress and, as so amended, does not refer to specific pay levels.

CODIFICATION

Section is based on par. (3) of House Resolution No. 8, Ninety-fifth Congress, Jan. 4, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

A prior section 75-1, based on House Resolution No. 890, Ninety-second Congress, Oct. 4, 1972, as enacted into permanent law by Pub. L. 92-607, ch. V, §508, Oct. 31, 1972, 86 Stat. 1509, set forth the compensation of the Clerk at equal to the annual rate of basic pay fixed for level IV of the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

INCREASES IN COMPENSATION

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967

(Pub. L. 90-206), Federal Pay Comparability Act of 1970 (Pub. L. 91-656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100-202), see sections 60a-2 and 60a-2a of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

§ 75a. Death, resignation, etc., of Clerk of House; accounts and payments; liability of Clerk for acts and defaults of disbursing clerk

On and after June 8, 1942, in case of the death, resignation, separation from office, or disability of the Clerk of the House of Representatives, the accounts of such Clerk may be continued and payments made in his name by the disbursing clerk of the House of Representatives for a period extending not beyond the quarterly period during which a new Clerk of the House of Representatives shall have been elected and qualified. Such accounts and payments shall be allowed, audited, and settled in the General Accounting Office, and the checks signed in the name of the former Clerk of the House of Representatives shall be honored by the Treasurer of the United States, in the same manner as if such former Clerk had continued in office. The former Clerk or his estate shall not be subject to any legal liability or penalty for the official acts and defaults of such disbursing clerk acting in the name or in the place of such former Clerk under this section, but such disbursing clerk shall be responsible therefor.

(June 8, 1942, ch. 396, § 7, 56 Stat. 350; June 6, 1972, Pub. L. 92-310, title II, § 220(i), 86 Stat. 205.)

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which related to the sureties on the bond of the former clerk, and which required the disbursing clerk to give a bond.

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.

CROSS REFERENCES

Secretary of Senate, death, resignation, or disability, see section 64a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 75a-1 of this title.

§ 75a-1. Temporary appointments in case of vacancies or incapacity of House officers; compensation

(a) Temporary appointments in case of vacancy or incapacity in office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain of House

In case of a vacancy, from whatever cause, in the office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, of the House of Representatives, or in case of the incapacity or inability of the incumbent of any such office to perform the duties thereof, the Speaker of the House of Representatives may appoint a person to act as, and to exercise temporarily the duties

of, Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, until a person is chosen by the House of Representatives and duly qualifies as Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, or until the termination of the incapacity or inability of the incumbent.

(b) Duties of temporary appointees

Any person appointed pursuant to this section shall exercise all the duties, shall have all the powers, and shall be subject to all the requirements and limitations applicable with respect to one chosen by the House of Representatives to fill the office involved; but nothing in this section shall be held to amend, repeal, or otherwise affect section 75a of this title.

(c) Compensation of temporary appointee

Any person appointed pursuant to this section shall be paid the compensation which he would receive if he were chosen by the House of Representatives to fill the office involved, unless such person is concurrently serving in any office or position the compensation for which is paid from the funds of the United States, in which case he shall receive no compensation for services rendered pursuant to his appointment under this section, and his compensation for performing the duties of such office other than the one to which he is appointed pursuant to this section shall be in full discharge for all services he performs for the United States while serving in such dual capacity.

(Aug. 2, 1946, ch. 753, § 208, as added Aug. 5, 1953, ch. 330, 67 Stat. 387.)

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

ABOLITION OF OFFICE OF POSTMASTER

Office of Postmaster of House of Representatives abolished by section 2 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992.

§§ 75b to 75e. Omitted

CODIFICATION

Section 75b, act May 1, 1947, ch. 49, title I, 61 Stat. 58, accorded Clerk of House the same priority as executive agencies under the Surplus Property Act of 1944 (50 App. U.S.C. 1611-1648). The Surplus Property Act of 1944 was repealed by act June 30, 1949, ch. 288, title V, § 503, 63 Stat. 399, and the priorities thereunder expired Dec. 31, 1949.

Sections 75c to 75e were omitted from the Code for lack of general applicability.

Section 75c, based on H. Res. No. 449, Sept. 21, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to basic compensation of Assistant Tally Clerks in Office of Clerk of House.

Section 75d, based on H. Res. No. 331, June 7, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to basic compensation of stationery and assistant stationery clerks.

Section 75e, based on H. Res. Nos. 225, 341, 402 and 773 of the 87th Congress, enacted into permanent law by Pub. L. 87-130, § 103, Aug. 10, 1961, 75 Stat. 334; Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693; Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, related to compensation of certain laborers and clerks in offices of Clerk, Doorkeeper and Postmaster of House.