

NINETY-FIFTH CONGRESS

Section 2 of House Resolution No. 1047, Ninety-fifth Congress, Apr. 4, 1978, enacted into permanent law by Pub. L. 95-391, provided that this section would not be effective in the Ninety-fifth Congress upon the adoption of H. Res. 1047.

AUTHORIZATION FOR PAYMENT OF EXPENSES FROM CONTINGENT FUND OF HOUSE OF REPRESENTATIVES FOR PARTICIPATORY ACTIVITIES

Section 1 of House Resolution No. 434, Ninety-fifth Congress, Mar. 31, 1977, enacted into permanent law by Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668, which provided that, until otherwise provided by law, there was to have been paid out of the contingent fund of the House of Representatives such sums as may have been necessary, but not to exceed \$15,000 in any calendar year, for the payment of expenses incurred in carrying out this section, was repealed by section 2 of H. Res. 1047, Ninety-fifth Congress, Apr. 4, 1978, which was enacted into permanent law by section 111 of Pub. L. 95-391, effective Sept. 30, 1978.

§ 130-1. Participation by House in inter-parliamentary institutions; reception of members of foreign legislative bodies and foreign officials; meetings with Government officials

(a) It is the purpose of this section to enable the House of Representatives more properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions, to facilitate the interchange and reception in the United States of members of foreign legislative bodies and permanent officials of foreign governments, and to enable the House of Representatives to host meetings with senior United States Government officials and other dignitaries in order to discuss matters relevant to United States relations with other countries.

(b) For payment of expenses incurred in carrying out subsection (a) of this section, there shall be paid out of the applicable accounts of the House of Representatives, until otherwise provided by law, such sums as may be necessary but not to exceed \$55,000 in any calendar year. Such payments shall be made on vouchers signed by the chairman of the Committee on Foreign Affairs and approved by the Committee on House Oversight.

(Pub. L. 95-391, title I, §111, Sept. 30, 1978, 92 Stat. 777; Pub. L. 103-437, §2(b), Nov. 2, 1994, 108 Stat. 4581; Pub. L. 104-186, title II, §204(72), Aug. 20, 1996, 110 Stat. 1741.)

CODIFICATION

Section is based on section 1 of House Resolution No. 1047, Ninety-fifth Congress, Apr. 4, 1978, which was enacted into permanent law by Pub. L. 95-391.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-186 substituted “applicable accounts of the House of Representatives” for “contingent fund of the House” and “House Oversight” for “House Administration”.

1994—Subsec. (b). Pub. L. 103-437 substituted “Committee on Foreign Affairs” for “Committee on International Relations”.

CHANGE OF NAME

Committee on Foreign Affairs of House of Representatives treated as referring to Committee on Inter-

national Relations of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of this title.

§ 130a. Nonpay status for Congressional employees studying under Congressional staff fellowships

(a) With respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, and

(2) who, on or after January 1, 1963 shall have been separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association,

the period of time covered by such fellowship shall be held and considered to be service (in a nonpay status) in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of the provisions of law specified in subsection (b) of this section, if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives by records or other evidence.

(b) The provisions of law referred to in subsection (a) of this section are—

(1) subchapter III (relating to civil service retirement) of chapter 83 of title 5;

(2) chapter 87 (relating to Federal employees group life insurance) of title 5; and

(3) chapter 89 (relating to Federal employees group health insurance) of title 5.

(Pub. L. 89-379, Mar. 30, 1966, 80 Stat. 94; Pub. L. 104-186, title II, §204(73), Aug. 20, 1996, 110 Stat. 1741.)

AMENDMENTS

1996—Pub. L. 104-186 designated existing provisions as subsec. (a), in par. (1) substituted “Chief Administrative Officer” for “Clerk”, in provisions following par. (2) substituted “the purposes of the provisions of law specified in subsection (b) of this section, if the award” for “the purposes of—

“(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

“(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

“(C) chapter 89 (relating to Federal employees group health insurance) of title 5,

if the award”, “Chief Administrative Officer of the House of Representatives, as appropriate” for “Clerk of the House of Representatives, as appropriate”, and “Chief Administrative Officer of the House of Representatives by records” for “Clerk of the House by records”, and added subsec. (b).

§ 130b. Jury and witness service by Senate and House employees

(a) Definitions

For purposes of this section—

(1) “employee” means any individual whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(2) “court of the United States” has the meaning given it by section 451 of title 28 and includes the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands.

(b) Service as juror or witness in connection with a judicial proceeding; prohibition against reduction of pay

The pay of an employee shall not be reduced during a period of absence with respect to which the employee is summoned (and permitted to respond to such summons by the appropriate authority of the House of the Congress disbursing his pay), in connection with a judicial proceeding by a court or authority responsible for the conduct of that proceeding, to serve—

(1) as a juror; or

(2) other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;

in the District of Columbia, a State, territory, or possession of the United States including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands. For purposes of this subsection, “judicial proceeding” means any action, suit, or other judicial proceeding, including any condemnation, preliminary, informational, or other proceeding of a judicial nature, but does not include an administrative proceeding.

(c) Official duty

An employee is performing official duty during the period with respect to which he is summoned (and is authorized to respond to such summons by the House of the Congress disbursing his pay), or is assigned by such House, to—

(1) testify or produce official records on behalf of the United States or the District of Columbia; or

(2) testify in his official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

(d) Prohibition on receipt of jury or witness fees

(1) An employee may not receive fees for service—

(A) as juror in a court of the United States or the District of Columbia; or

(B) as a witness on behalf of the United States or the District of Columbia.

(2) If an employee receives an amount (other than travel expenses) for service as a juror or witness during a period in which his pay may not be reduced under subsection (b) of this section, or for which he is performing official duty under subsection (c) of this section, the em-

ployee shall remit such amount to the officer who disburses the pay of the employee, which amount shall be covered into the general fund of the Treasury as miscellaneous receipts.

(e) Travel expenses

(1) An employee summoned (and authorized to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify or produce official records on behalf of the United States is entitled to travel expenses. If the case involves an activity in connection with which he is employed, the travel expenses shall be paid from funds otherwise available for the payment of travel expenses of such House in accordance with travel regulations of that House. If the case does not involve such an activity, the department, agency, or independent establishment of the United States on whose behalf he is so testifying or producing records shall pay to the employee his travel expenses out of appropriations otherwise available, and in accordance with regulation applicable, to that department, agency, or independent establishment for the payment of travel expenses.

(2) An employee summoned (and permitted to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify in his official capacity or produce official records on behalf of a party other than the United States, is entitled to travel expenses, unless any travel expenses are paid to the employee for his appearance by the court, authority, or party which caused him to be summoned.

(f) Rules and regulations

The Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives are authorized to prescribe, for employees of their respective Houses, such rules and regulations as may be necessary to carry out the provisions of this section.

(g) Congressional consent not conferred for production of official records or to testimony concerning activities related to employment

No provision of this section shall be construed to confer the consent of either House of the Congress to the production of official records of that House or to testimony by an employee of that House concerning activities related to his employment.

(Pub. L. 91-563, §6, Dec. 19, 1970, 84 Stat. 1478; Pub. L. 94-310, §2, June 15, 1976, 90 Stat. 687; Pub. L. 104-186, title II, §204(74), (75), Aug. 20, 1996, 110 Stat. 1741.)

REFERENCES IN TEXT

For definition of Canal Zone, referred to in subsection (b), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

AMENDMENTS

1996—Subsec. (a)(1). Pub. L. 104-186, §204(74), substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (f). Pub. L. 104-186, §204(75), substituted “House Oversight” for “House Administration”.

1976—Subsec. (b)(2). Pub. L. 94-310 substituted “other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any