

## 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, Chief Administrative Officer, or Chaplain of House**

In case of a vacancy, from whatever cause, in the office of Clerk, Sergeant at Arms, Chief Administrative Officer 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, Chief Administrative Officer 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, Chief Administrative Officer 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; amended Pub. L. 104-186, title II, § 204(20), Aug. 20, 1996, 110 Stat. 1733.)

## AMENDMENTS

1996—Subsec. (a). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Doorkeeper, Postmaster,” wherever appearing.

**§§ 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.

**§§ 76 to 76a. Repealed. Pub. L. 104-186, title II, § 204(21), (22)(A)(iii), (23), Aug. 20, 1996, 110 Stat. 1733**

Section 76, R.S. § 73, related to duties of Doorkeeper of House. Provisions of R.S. § 73 which related to duties of Doorkeeper of Senate were classified to section 63 of this title prior to repeal by Pub. L. 104-186.

Section 76-1, based on H. Res. No. 8, par. (3), Ninety-fifth Congress, Jan. 4, 1977, enacted into permanent law by Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668, related to compensation of Doorkeeper of House.

A prior section 76-1 was based on provisions of H. Res. No. 890, Ninety-second Congress, Oct. 4, 1972, enacted into permanent law by Pub. L. 92-607, ch. V, § 508, Oct. 31, 1972, 86 Stat. 1509, relating to compensation of the Doorkeeper being 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, prior to those provisions being struck out by Pub. L. 104-186, title II, § 204(22)(B), Aug. 20, 1996, 110 Stat. 1733.

Another prior section 76-1, based on H. Res. No. 909, Eighty-ninth Congress, Sept. 8, 1966, enacted into permanent law by Pub. L. 89-697, ch. VI, § 601, Oct. 27, 1966, 80 Stat. 1064, set forth the compensation of the Doorkeeper at equal to the gross per annum rate of compensation of the Clerk of House and Sergeant at Arms of House, prior to being repealed by Pub. L. 104-186, title II, § 204(22)(B), Aug. 20, 1996, 110 Stat. 1733.

Section 76a, based on H. Res. No. 560, Eighty-seventh Congress, Mar. 27, 1962, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to position of a special assistant in Office of Doorkeeper.

**§ 76b. Omitted**

## CODIFICATION

Section 76b, based on H. Res. No. 603, §§ 2, 3, Eighty-seventh Congress, Apr. 16, 1962, enacted into permanent law by Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, related to compensation of telephone clerks in Office of Doorkeeper, was omitted from Code in view of repeal of section 2 of H. Res. No. 603 by Pub. L. 104-186, title II, § 204(24) Aug. 20, 1996, 110 Stat. 1733.

**§ 77. Sergeant at Arms of House; additional compensation**

The Sergeant at Arms of the House of Representatives shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith, otherwise than the salary prescribed by law.

(June 20, 1874, ch. 328, 18 Stat. 87; Mar. 3, 1875, ch. 129, 18 Stat. 346.)

**§ 77a. Repealed. Pub. L. 104-186, title II, § 204(22)(A)(iii), Aug. 20, 1996, 110 Stat. 1733**

Section, based on H. Res. No. 8, par. (3), Ninety-fifth Congress, Jan. 4, 1977, enacted into permanent law by