

individual who serves in the office of the Member for not more than 120 days in a 12-month period and whose service is primarily for the educational experience of the individual;

(3) the term “part-time employee” means, with respect to a Member of the House of Representatives, an individual who is employed by the Member and whose normally assigned work schedule is not more than the equivalent of 15 full working days per month;

(4) the term “temporary employee” means, with respect to a Member of the House of Representatives, an individual who is employed for a specific purpose or task and who is employed for not more than 90 days in a 12-month period, except that the term of such employment may be extended with the written approval of the Committee on House Oversight; and

(5) the term “shared employee” means an employee who is paid by more than one employing authority of the House of Representatives.

#### (d) Regulations

The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

(Pub. L. 104-186, title I, §104, Aug. 20, 1996, 110 Stat. 1720; Pub. L. 105-55, title I, §104(a), Oct. 7, 1997, 111 Stat. 1183.)

#### CODIFICATION

Section is comprised of section 104 of Pub. L. 104-186. Subsec. (e)(1) of section 104 of Pub. L. 104-186 repealed former section 92 of this title. Subsec. (e)(2) and (3) of section 104 of Pub. L. 104-186 repealed provisions formerly set out as notes below.

#### PRIOR PROVISIONS

A prior section 92, acts Jan. 25, 1923, ch. 43, 42 Stat. 1217; July 25, 1939, ch. 352, §1, 53 Stat. 1080; Aug. 5, 1955, ch. 568, §11(b), 69 Stat. 509; Aug. 3, 1956, ch. 938, §1(b), 70 Stat. 990, related to payment of appropriations for clerk hire for Members of House of Representatives, Delegates, and Resident Commissioners, prior to repeal by Pub. L. 104-186, title I, §104(e)(1), Aug. 20, 1996, 110 Stat. 1721.

#### AMENDMENTS

1997—Subsec. (c)(2). Pub. L. 105-55 struck out “in the District of Columbia” after “office of the Member”.

#### EFFECTIVE DATE OF 1997 AMENDMENT

Section 104(b) of Pub. L. 105-55 provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal years beginning on or after October 1, 1997.”

#### EMPLOYMENT OF PERMANENT CLERKS

House Resolution No. 359, Ninety-sixth Congress, July 20, 1979, as enacted into permanent law by H.R. 7593, as passed the House of Representatives on July 21, 1980, and enacted into permanent law by Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167, which related to the employment of employees by Members of House of Representatives, Delegates, and Resident Commissioners, was repealed by Pub. L. 104-186, title I, §104(e)(2), Aug. 20, 1996, 110 Stat. 1721.

House Resolution No. 357, Ninety-first Congress, June 25, 1969, as enacted into permanent law by Pub. L. 91-145, §103, Dec. 12, 1969, 83 Stat. 359, which increased base Clerk Hire allowance of Members of House of Representatives and Resident Commissioner from Puerto Rico and authorized them to employ one additional

clerk each, was repealed by Pub. L. 104-186, title I, §104(e)(3), Aug. 20, 1996, 110 Stat. 1721.

#### CROSS REFERENCES

Adjustment of allowances by Committee on House Oversight, see section 57 of this title.

Delegates from Guam and Virgin Islands, clerk hire, see section 1715 of Title 48, Territories and Insular Possessions.

For provisions establishing Members’ Representational Allowance, see section 57b of this title.

#### §92-1. Repealed. Pub. L. 104-186, title II, §204(43), Aug. 20, 1996, 110 Stat. 1736

Section, based on H. Res. No. 294, §2, Eighty-eighth Congress, Aug. 14, 1964, as continued by H. Res. No. 7, Eighty-ninth Congress, Jan. 4, 1965, which was enacted into permanent law by Pub. L. 89-90, §103, July 27, 1965, 79 Stat. 281, related to place of performance of services for which clerk hire allowances were paid.

#### §92a. Pay of clerical assistants as affected by death of Senator or Representative

When a Senator or Member of the House of Representatives or Delegate or Resident Commissioner dies during his term of office the clerical assistants appointed by him, and then borne upon the pay rolls of the Senate or House of Representatives, shall be continued on such pay rolls in their respective positions and be paid for a period not longer than one month: *Provided*, That this shall not apply to clerical assistants of standing committees of the Senate or House of Representatives, when their service otherwise would continue beyond such period.

(Feb. 23, 1927, ch. 168, §1, 44 Stat. 1148.)

#### EMPLOYEES OF SENATE

*Pub. L. 98-473, title I, §123A(a), Oct. 12, 1984, 98 Stat. 1969, provided that this section shall not apply to any employee of Senate.*

#### CROSS REFERENCES

Pay of clerical assistants to be continued until successor of deceased or resigned Member of House is elected, see section 92b of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 92b of this title.

#### §92b. Pay of clerical assistants as affected by death or resignation of Member of House

Notwithstanding the provisions of section 92a of this title, in case of the death or resignation of a Member of the House during his term of office, the clerical assistants designated by him and borne upon the clerk hire pay rolls of the House of Representatives on the date of such death or resignation shall be continued upon such pay rolls at their respective salaries until the successor to such Member of the House is elected to fill the vacancy.

(Aug. 21, 1935, ch. 600, §1, 49 Stat. 679; Apr. 24, 1950, ch. 96, 64 Stat. 82; July 15, 1952, ch. 759, §1, 66 Stat. 662; Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 657.)

#### AMENDMENTS

1966—Pub. L. 89-554 struck out sentence which related to retirement service credit.

1952—Joint Res. July 15, 1952, provided retirement credit to employees for time they were separated from

employment following death or resignation of a Member and before election of his successor.

1950—Joint Res. Apr. 24, 1950, struck out second sentence which limited continuance of clerical assistants of deceased or resigned House Members on pay roll to six months.

#### EFFECTIVE DATE

Section 4 of act Aug. 21, 1935, provided that: “This joint resolution [enacting sections 92b to 92d of this title] shall be effective as of the beginning of the Seventy-fourth Congress, January 3, 1935.”

#### CROSS REFERENCES

Pay of clerical assistants as affected by death of Senator or Representative, see section 92a of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92b-1, 92c, 92d of this title.

### § 92b-1. Termination of service of Members of House

(a) Until otherwise provided by law, for purposes of sections 92b, 92c, and 92d of this title, any termination of service during a term of office of a Member of the House that is not described in section 92b of this title shall be treated as if such termination were described in such section.

(b) The Clerk of the House shall take such action as may be necessary to apply the principles of section 92c of this title in the carrying out of sections 92b-1 to 92b-3 of this title.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959.)

#### CODIFICATION

Section is based on section 1 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92b-2, 92b-3 of this title.

### § 92b-2. Authority to prescribe regulations

The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations for the carrying out of sections 92b-1 to 92b-3 of this title.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959; Pub. L. 104-186, title II, §204(44), Aug. 20, 1996, 110 Stat. 1736.)

#### CODIFICATION

Section is based on section 2 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

#### AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight of the House of Representatives” for “House Administration”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92b-1, 92b-3 of this title.

### § 92b-3. Vouchers

Payments under sections 92b-1 to 92b-3 of this title shall be made on vouchers approved by the

Committee on House Oversight of the House of Representatives and signed by the chairman of such committee.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959; Pub. L. 104-186, title II, §204(44), Aug. 20, 1996, 110 Stat. 1736.)

#### CODIFICATION

Section is based on section 3 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

#### AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight of the House of Representatives” for “House Administration”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 92b-1, 92b-2 of this title.

### § 92c. Performance of duties by clerical assistants of dead or resigned Member of House

Any clerical assistants who continue on the House pay rolls under the provisions of section 92b of this title shall, while so continued, perform their duties under the direction of the Clerk of the House, and he is authorized and directed to remove from such pay rolls any such clerks who are not attending to the duties for which their services are continued.

(Aug. 21, 1935, ch. 600, §2, 49 Stat. 680.)

#### EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 92b of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 92b-1 of this title.

### § 92d. “Member of the House” defined

As used in section 92b of this title the phrase “Member of the House” shall mean a Representative, Representative-elect, Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect.

(Aug. 21, 1935, ch. 600, §3, 49 Stat. 680.)

#### EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 92b of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 92b-1 of this title.

### § 92e. Repealed. Pub. L. 98-473, title I, § 123A(b), Oct. 12, 1984, 98 Stat. 1969

Section, acts June 28, 1943, ch. 173, title I, 57 Stat. 223; June 26, 1944, ch. 277, title I, 58 Stat. 337; June 13, 1945, ch. 189, 59 Stat. 241; July 1, 1946, ch. 530, 60 Stat. 390, provided for continuation of salaries of clerical assistants to Senators upon death of that Senator in office.

### §§ 93, 94. Omitted

#### CODIFICATION

Section 93, act June 28, 1886, No. 15, 24 Stat. 342, related to time of beginning of compensation of committee