

§ 2b. Number of Representatives from each State in 78th and subsequent Congresses

Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or section 2a of this title, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

(Nov. 15, 1941, ch. 470, §2(a), 55 Stat. 762.)

CERTIFICATES TO EXECUTIVES OF STATES

Section 2(b) of act Nov. 15, 1941, required Clerk of House of Representatives, within 15 days of Nov. 15, 1941, to send a new certificate of entitlement of a State to Representatives, if such a certificate had been sent prior to Nov. 15, 1941, under provisions of section 2a of this title.

§ 2c. Number of Congressional Districts; number of Representatives from each District

In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of section 2a(a) of this title, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress).

(Pub. L. 90-196, Dec. 14, 1967, 81 Stat. 581.)

§§ 3, 4. Omitted

CODIFICATION

Section 3, act Aug. 8, 1911, ch. 5, § 3, 37 Stat. 14, which related to election by districts, expired by its own limitation on enactment of Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under Fifteenth Census, and hence it was not applicable thereto. See *Wood v. Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed. 131).

Section 4, act Aug. 8, 1911, ch. 5, § 4, 37 Stat. 14, which related to additional Representatives at large, expired by its own limitation on enactment of Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under Fifteenth Census, and hence it was not applicable thereto. See *Wood v. Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed. 131).

§ 5. Nominations for Representatives at large

Candidates for Representative or Representatives to be elected at large in any State shall be nominated in the same manner as candidates for governor, unless otherwise provided by the laws of such State.

(Aug. 8, 1911, ch. 5, § 5, 37 Stat. 14.)

§ 6. Reduction of representation

Should any State deny or abridge the right of any of the male inhabitants thereof, being twen-

ty-one years of age, and citizens of the United States, to vote at any election named in the amendment to the Constitution, article 14, section 2, except for participation in the rebellion or other crime, the number of Representatives apportioned to such State shall be reduced in the proportion which the number of such male citizens shall have to the whole number of male citizens twenty-one years of age in such State.

(R.S. § 22.)

CODIFICATION

R.S. § 22 derived from act Feb. 2, 1872, ch. 11, § 6, 17 Stat. 29.

§ 7. Time of election

The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter.

(R.S. § 25; Mar. 3, 1875, ch. 130, § 6, 18 Stat. 400; June 5, 1934, ch. 390, § 2, 48 Stat. 879.)

CODIFICATION

R.S. § 25 derived from act Feb. 2, 1872, ch. 11, § 3, 17 Stat. 28.

The second sentence of this section, which was based on section 6 of the act Mar. 3, 1875 and made this section inapplicable to any State that had not yet changed its day of election and whose constitution required an amendment to change the day of election of its State officers, was omitted.

AMENDMENTS

1934—Act June 5, 1934, substituted “3d day of January” for “fourth day of March”.

CONSTITUTIONAL PROVISIONS

The first section of Amendment XX to the Constitution provides: “The terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.”

Time for election of Representatives, see Const. Art. I, § 4, cl. 1.

§ 8. Vacancies

The time for holding elections in any State, District, or Territory for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively.

(R.S. § 26.)

CODIFICATION

R.S. § 26 derived from act Feb. 2, 1872, ch. 11, § 4, 17 Stat. 28.

CONSTITUTIONAL PROVISIONS

Vacancies in the House of Representatives, see Const. Art. I, § 2, cl. 4.

§ 9. Voting for Representatives

All votes for Representatives in Congress must be by written or printed ballot, or voting ma-

chine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect.

(R.S. § 27; Feb. 14, 1899, ch. 154, 30 Stat. 836.)

CODIFICATION

R.S. § 27 derived from acts Feb. 28, 1871, ch. 99, § 19, 16 Stat. 440, and May 30, 1872, ch. 239, 17 Stat. 192.

CHAPTER 2—ORGANIZATION OF CONGRESS

- Sec. 21. Oath of Senators.
- 22. Oath of President of Senate.
- 23. Presiding officer of Senate may administer oaths.
- 24. Secretary of Senate or assistant secretary may administer oaths.
- 25. Oath of Speaker, Members, and Delegates.
- 25a. Delegate to House of Representatives from District of Columbia.
- 25b. Repealed.
- 26. Roll of Representatives-elect.
- 27. Change of place of meeting.
- 28. Parliamentary precedents of House of Representatives.
 - (a) Periodic compilation; other useful materials; index digest; date of completion.
 - (b) Form, number, and distribution of compilation.
 - (c) Appointment and compensation of personnel; utilization of services of personnel of Federal agencies.
- 28a. Compilation of the Precedents of House of Representatives; date of completion; biennial update; printing and availability of copies.
- 28b. Printing and binding as public document of Precedents of House of Representatives; number of sets authorized.
- 28c. Distribution of Precedents by Public Printer.
 - (a) Delivery to Members of Ninety-fifth Congress; marking of volumes.
 - (b) Members of Congress following Ninety-fifth Congress not already having sets of Precedents; necessity of written request to Superintendent of Documents for set.
 - (c) Additional distribution of sets.
- 28d. Distribution of Precedents by Public Printer for official use; particular distribution; marking and ownership of sets.
- 28e. Distribution of Precedents by Joint Committee on Printing of surplus sets; additional printing, etc., of sets under authority of Joint Committee.
- 29. Condensed and simplified versions of House precedents; other useful materials in summary form; form and distribution to Members of Congress, Resident Commissioner from Puerto Rico, and others; appointment and compensation of personnel; utilization of services of personnel of Federal agencies.
- 29a. Early organization of House of Representatives.
 - (a) Caucus or conference for incumbent Members reelected to and Members-elect of ensuing Congress; time and procedure for calling.
 - (b) Payment and reimbursement for travel and per diem expenses for Members attending caucus or conference; exceptions; regulations governing payments and reimbursements; reimbursement vouchers.
 - (c) Availability of applicable accounts of House.

- Sec. 29b, 29c. Omitted.
- 29d. Committee on Standards of Official Conduct of House of Representatives.
 - (a) Omitted.
 - (b) Committee composition.
 - (c) Investigative subcommittees.
 - (d) Adjudicatory subcommittees.
 - (e) to (h) Omitted.
 - (i) Advice and education.
 - (j) Effective date.
- 30. Term of service of Members of Congress as trustees or directors of corporations or institutions appropriated for.
- 30a. Jury duty exemption of elected officials of legislative branch.

CHANGE OF NAME AND TRANSFER OF FUNCTIONS OF COMMITTEES AND OFFICERS OF HOUSE OF REPRESENTATIVES

Pub. L. 104-14, June 3, 1995, 109 Stat. 186, provided that:

“SECTION 1. REFERENCES IN LAW TO COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

“(a) REFERENCES TO COMMITTEES WITH NEW NAMES.—Except as provided in subsection (c), any reference in any provision of law enacted before January 4, 1995, to—

- “(1) the Committee on Armed Services of the House of Representatives shall be treated as referring to the Committee on National Security of the House of Representatives;
 - “(2) the Committee on Banking, Finance and Urban Affairs of the House of Representatives shall be treated as referring to the Committee on Banking and Financial Services of the House of Representatives;
 - “(3) the Committee on Education and Labor of the House of Representatives shall be treated as referring to the Committee on Economic and Educational Opportunities of the House of Representatives;
 - “(4) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to the Committee on Commerce of the House of Representatives;
 - “(5) the Committee on Foreign Affairs of the House of Representatives shall be treated as referring to the Committee on International Relations of the House of Representatives;
 - “(6) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;
 - “(7) the Committee on House Administration of the House of Representatives shall be treated as referring to the Committee on House Oversight of the House of Representatives;
 - “(8) the Committee on Natural Resources of the House of Representatives shall be treated as referring to the Committee on Resources of the House of Representatives;
 - “(9) the Committee on Public Works and Transportation of the House of Representatives shall be treated as referring to the Committee on Transportation and Infrastructure of the House of Representatives; and
 - “(10) the Committee on Science, Space, and Technology of the House of Representatives shall be treated as referring to the Committee on Science of the House of Representatives.
- “(b) REFERENCES TO ABOLISHED COMMITTEES.—Any reference in any provision of law enacted before January 4, 1995, to—
- “(1) the Committee on District of Columbia of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;
 - “(2) the Committee on Post Office and Civil Service of the House of Representatives shall be treated as referring to the Committee on Government Reform and