

§ 130f. Office of General Counsel of House; administrative provisions

(a) Compliance with admission requirements

The General Counsel of the House of Representatives and any other counsel in the Office of the General Counsel of the House of Representatives, including any counsel specially retained by the Office of General Counsel, shall be entitled, for the purpose of performing the counsel's functions, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirements for admission to practice before such court, except that the authorization conferred by this subsection shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

(b) Notification by Attorney General

The Attorney General shall notify the General Counsel of the House of Representatives as required by section 530D of title 28.

(c) General Counsel definition

In this section, the term “General Counsel of the House of Representatives” means—

(1) the head of the Office of General Counsel established and operating under clause 8 of rule II of the Rules of the House of Representatives;

(2) the head of any successor office to the Office of General Counsel which is established after September 29, 1999; and

(3) any other person authorized and directed in accordance with the Rules of the House of Representatives to provide legal assistance and representation to the House in connection with the matters described in this section.

(d) Effective date

The provisions of this section shall become effective beginning with September 29, 1999.

(Pub. L. 106–57, title I, §101, Sept. 29, 1999, 113 Stat. 414; Pub. L. 107–273, div. A, title II, §202(b)(5), Nov. 2, 2002, 116 Stat. 1775; Pub. L. 108–7, div. H, title I, §110(a), Feb. 20, 2003, 117 Stat. 355.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 2000, which is title I of the Legislative Branch Appropriations Act, 2000.

AMENDMENTS

2003—Subsec. (b). Pub. L. 108–7 amended Pub. L. 107–273. See 2002 Amendment note below.

2002—Pub. L. 107–273, as amended by Pub. L. 108–7, substituted “as required by section 530D of title 28” for “with respect to any proceeding in which the United States is a party of any determination by the Attorney General or Solicitor General not to appeal any court decision affecting the constitutionality of an Act or joint resolution of Congress within such time as will enable the House to direct the General Counsel to intervene as a party in such proceeding pursuant to applicable rules of the House of Representatives”.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108–7, div. H, title I, §110(c), Feb. 20, 2003, 117 Stat. 355, provided that: “The amendments made by this section [amending this section and section 288k of this title] shall take effect as if included in the enact-

ment of the 21st Century Department of Justice Appropriations Authorization Act [Pub. L. 107–273].”

§ 130g. Support services for Senate during emergency; memorandum of understanding with an executive agency

(a) Authorization

Notwithstanding any other provision of law—

(1) subject to subsection (b) of this section, the Sergeant at Arms of the Senate and the head of an executive agency (as defined in section 105 of title 5) may enter into a memorandum of understanding under which the agency may provide facilities, equipment, supplies, personnel, and other support services for the use of the Senate during an emergency situation; and

(2) the Sergeant at Arms of the Senate and the head of the agency may take any action necessary to carry out the terms of the memorandum of understanding.

(b) Consistency with Senate Procurement Regulations

The Sergeant at Arms of the Senate may enter into a memorandum of understanding described in subsection (a)(1) of this section consistent with the Senate Procurement Regulations.

(c) Applicability

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107–117, div. B, §902, Jan. 10, 2002, 115 Stat. 2316.)

CODIFICATION

Section is from the Emergency Supplemental Act, 2002, which is div. B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002.

§ 130h. Support services for House during emergency; memorandum of understanding with an executive agency

(a) Authorization

Notwithstanding any other provision of law—

(1) subject to subsection (b) of this section, the Chief Administrative Officer of the House of Representatives and the head of an executive agency (as defined in section 105 of title 5) may enter into a memorandum of understanding under which the agency may provide facilities, equipment, supplies, personnel, and other support services for the use of the House of Representatives during an emergency situation; and

(2) the Chief Administrative Officer and the head of the agency may take any action necessary to carry out the terms of the memorandum of understanding.

(b) Approval of Speaker required

The Chief Administrative Officer of the House of Representatives may not enter into a memorandum of understanding described in subsection (a)(1) of this section without the approval of the Speaker of the House of Representatives.

(c) Applicability

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107–117, div. B, §904, Jan. 10, 2002, 115 Stat. 2318.)

CODIFICATION

Section is from the Emergency Supplemental Act, 2002, which is div. B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002.

§ 130i. House of Representatives Office of Emergency Planning, Preparedness, and Operations

(a) Establishment

There is established in the House of Representatives an office to be known as the House of Representatives Office of Emergency Planning, Preparedness, and Operations. The Office shall be responsible for mitigation and preparedness operations, crisis management and response, resource services, and recovery operations.

(b) Duties of Speaker

The Speaker, in consultation with the minority leader—

- (1) shall provide policy direction for, and oversight of, the Office;
- (2) shall appoint and set the annual rate of pay for employees of the Office, including a Director, who shall be the head of the Office;
- (3) shall exercise, with respect to any employee of the Office, the authority referred to in section 8344(k)(2)(B) of title 5 and the authority referred to in section 8468(h)(2)(B) of title 5;
- (4) shall approve procurement of services of experts and consultants by the Office or by committees or other entities of the House of Representatives for assignment to the Office; and
- (5) may request the head of any Federal department or agency to detail to the Office, on a reimbursable basis, any of the personnel of the department or agency.

(c) Duties of Director; House of Representatives Continuity of Operations Board

The day-to-day operations of the Office shall be carried out by the Director, under the supervision of a Board, to be known as the House of Representatives Continuity of Operations Board, comprised of the Clerk, the Sergeant at Arms, and the Chief Administrative Officer of the House of Representatives. The Clerk shall be the Chairman of the Board.

(d) Availability of funds

Until otherwise provided by law, funds shall be available for the Office from amounts appropriated for the operations of the House of Representatives.

(e) Effective date; applicability

This section shall take effect on January 10, 2002, and shall apply to fiscal years beginning with fiscal year 2002.

(Pub. L. 107–117, div. B, §905, Jan. 10, 2002, 115 Stat. 2318.)

CODIFICATION

Section is from the Emergency Supplemental Act, 2002, which is div. B of the Department of Defense and

Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002.

§ 130j. Program to increase employment opportunities in House of Representatives for individuals with disabilities

(a) In general

In order to promote an increase in opportunities for individuals with disabilities to provide services to the House of Representatives, the Chief Administrative Officer of the House of Representatives is authorized to—

- (1) enter into 1 or more contracts with non-governmental entities to provide for the performance of services for offices of the House of Representatives by individuals with disabilities who are employees of, or under contract with, such entities; and
- (2) provide reasonable accommodations, including assistive technology devices and assistive technology services, to enable such individuals to perform such services under such contracts.

(b) Elements of program

The Chief Administrative Officer of the House of Representatives, in entering into any contract under subsection (a) of this section, shall seek to ensure that—

- (1) traditional and nontraditional outreach efforts are used to attract individuals with disabilities for educational benefit and employment opportunities in the House;
- (2) the non-governmental entity provides adequate education and training for individuals with disabilities to enhance such employment opportunities; and
- (3) efforts are made to educate employing offices in the House about opportunities to employ individuals with disabilities.

(c) Funding

There are authorized to be appropriated from the applicable accounts of the House of Representatives \$500,000 to carry out this section for each of the fiscal years 2003 through 2007.

(Pub. L. 108–7, div. H, title I, §106, Feb. 20, 2003, 117 Stat. 354.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of the Consolidated Appropriations Resolution, 2003.

§ 130k. Emergency expenditures for meals, refreshments, and other support and maintenance

(a) At any time on or after February 20, 2003, the Chief Administrative Officer of the House of Representatives may incur obligations and make expenditures out of available appropriations for meals, refreshments, and other support and maintenance for Members, officers, and employees of the House of Representatives when, in the judgment of the Chief Administrative Officer, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

(b) Nothing in this section may be construed to affect any other authority of the Chief Ad-