

§ 75a. Death, resignation, etc., of Chief Administrative Officer of House; accounts and payments; liability of Chief Administrative Officer for acts and defaults of disbursing clerk

On and after June 8, 1942, in case of the death, resignation, separation from office, or disability of the Chief Administrative Officer of the House of Representatives, the accounts of the Chief Administrative Officer may be continued and payments made in his name by the disbursing clerk of the House of Representatives for a period extending not beyond the quarterly period during which a new Chief Administrative Officer shall have been appointed. Such accounts and payments shall be allowed and settled in the Government Accountability Office, and the checks signed in the name of the former Chief Administrative Officer shall be honored by the Treasurer of the United States, in the same manner as if the former Chief Administrative Officer had continued in office. The former Chief Administrative Officer or his estate shall not be subject to any legal liability or penalty for the official acts and defaults of such disbursing clerk acting in the name or in the place of the former Chief Administrative Officer under this section, but such disbursing clerk shall be responsible therefor. The accounts and payments referred to in the second sentence shall be audited by the Inspector General of the House of Representatives.

(June 8, 1942, ch. 396, § 7, 56 Stat. 350; Pub. L. 92-310, title II, § 220(i), June 6, 1972, 86 Stat. 205; Pub. L. 104-186, title II, § 204(19), Aug. 20, 1996, 110 Stat. 1732; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1996—Pub. L. 104-186, § 204(19)(A), in first sentence, substituted “Chief Administrative Officer of the House of Representatives, the accounts of the Chief Administrative Officer” for “Clerk of the House of Representatives, the accounts of such Clerk” and “new Chief Administrative Officer shall have been appointed” for “new Clerk of the House of Representatives shall have been elected and qualified”.

Pub. L. 104-186, § 204(19)(B), in second sentence, struck out “, audited,” after “shall be allowed” and substituted “name of the former Chief Administrative Officer” for “name of the former Clerk of the House of Representatives” and “the former Chief Administrative Officer” for “such former Clerk”.

Pub. L. 104-186, § 204(19)(C), in third sentence, substituted “The former Chief Administrative Officer” for “The former Clerk” and “the former Chief Administrative Officer” for “such former Clerk”.

Pub. L. 104-186, § 204(19)(D), inserted at end “The accounts and payments referred to in the second sentence shall be audited by the Inspector General of the House of Representatives.”

1972—Pub. L. 92-310 struck out provisions which related to the sureties on the bond of the former clerk, and which required the disbursing clerk to give a bond.

§ 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.