

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 L. 104-186 repealed provisions formerly set out as notes below.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

1999—Pub. L. 106-57, §103(b)(2), struck out “Clerk hire” before “Employees” in section catchline.

Subsec. (a). Pub. L. 106-57, §103(b)(1), struck out “clerk hire” before “employees” in two places in introductory provisions.

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

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-57 applicable with respect to the first session of the One Hundred Sixth Congress and each succeeding session of Congress, see section 103(c) of Pub. L. 106-57, set out as a note under section 57 of this title.

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to the employment of employees by Members of House of Representatives, Delegates, and Resident Commissioners, was repealed by Pub.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Representatives and Resident Commissioner from Puerto Rico and authorized them to employ one additional clerk each, was repealed by Pub.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.

§ 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 Repealed.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.

§ 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.”

§ 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.

§ 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”.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 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”.

CHANGE OF NAME

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§ 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.

§ 92d. “Member of the House” defined

As used in section 92b of this title the phrase “Member of the House” shall mean a Represent-

ative, 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.

§ 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 clerks. See section 72a of this title and Rules of House of Representatives.

Section 94, acts Mar. 4, 1925, ch. 549, §1, 43 Stat. 1291; May 13, 1926, ch. 294, §1, 44 Stat. 542; Feb. 23, 1927, ch. 168, §1, 44 Stat. 1152; May 14, 1928, ch. 551, §1, 45 Stat. 522; Feb. 28, 1929, ch. 367, §1, 45 Stat. 1392; June 6, 1930, ch. 407, §1, 46 Stat. 509; Feb. 20, 1931, ch. 234, §1, 46 Stat. 1180; June 30, 1932, ch. 314, §1, 47 Stat. 388; Feb. 28, 1933, ch. 134, §1, 47 Stat. 1356, related to appointment and removal of janitors, and was limited to the appropriation acts of which it was a part.

§ 95. Omitted

CODIFICATION

Section was based on provisions of acts Oct. 2, 1888, ch. 1069, 25 Stat. 546; Mar. 4, 1911, ch. 240, 36 Stat. 1318; Aug. 2, 1946, ch. 753, §121, 60 Stat. 822; Dec. 27, 1974, Pub. L. 93–554, title I, 88 Stat. 1776; Aug. 20, 1996, Pub. L. 104–186, title I, §105(c), 110 Stat. 1722, relating to payments from contingent fund of House of Representatives prior to being struck out by Pub. L. 104–186. See section 95–1 of this title. Provisions of act Oct. 2, 1888, relating to payments from contingent fund of the Senate are classified to section 68 of this title.

§ 95–1. Payments from applicable accounts of House of Representatives**(a) In general**

No payment may be made from the applicable accounts of the House of Representatives (as determined by the Committee on House Oversight of the House of Representatives), unless sanctioned by that Committee. Payments on vouchers approved in the manner directed by that Committee shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and officers of the Government.

(b) Definitions

As used in this section—

(1) the term “applicable accounts of the House of Representatives” means accounts for salaries and expenses of committees (other than the Committee on Appropriations), the computer support organization of the House of Representatives, and allowances and expenses of Members of the House of Representatives, officers of the House of Representatives, and administrative and support offices of the House of Representatives; and

(2) the term “Member of the House of Representatives” means a Representative in, or a