

tation expenses and allowances, on or after July 25, 1974, to an officer or employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House.

(b) Investigation and report

An application for waiver of a claim shall be investigated by the Chief Administrative Officer of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

(c) Prohibition of waiver

The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(d) Credit for waiver

In the audit and settlement of the accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(e) Effect of waiver

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(f) Construction with other laws

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) Rules and regulations

The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, §3, July 25, 1974, 88 Stat. 395; Pub. L. 104-186, title II, §204(76), Aug. 20, 1996, 110 Stat. 1742; Pub. L. 104-316, title I, §102(c), Oct. 19, 1996, 110 Stat. 3828.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-316 struck out “, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official” before period at end.

Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (b). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

§ 130e. Office of Congressional Accessibility Services

(a) Establishment of Office of Congressional Accessibility Services

(1) Establishment

There is established in the legislative branch the Office of Congressional Accessibility Services, to be headed by the Director of Accessibility Services.

(2) Congressional Accessibility Services Board

(A) Establishment

There is established the Congressional Accessibility Services Board, which shall be composed of—

- (i) the Sergeant at Arms and Doorkeeper of the Senate;
- (ii) the Secretary of the Senate;
- (iii) the Sergeant at Arms of the House of Representatives;
- (iv) the Clerk of the House of Representatives; and
- (v) the Architect of the Capitol.

(B) Direction of Board

The Office of Congressional Accessibility Services shall be subject to the direction of the Congressional Accessibility Services Board.

(3) Mission and functions

(A) In general

The Office of Congressional Accessibility Services shall—

- (i) provide and coordinate accessibility services for individuals with disabilities, including Members of Congress, officers and employees of the House of Representatives and the Senate, and visitors, in the United States Capitol Complex; and
- (ii) provide information regarding accessibility for individuals with disabilities, as well as related training and staff development, to Members of Congress and employees of the Senate and the House of Representatives.

(B) United States Capitol Complex defined

In this paragraph, the term “United States Capitol Complex” means the Capitol buildings (as defined in section 5101 of title 40) and the United States Capitol Grounds (as described in section 5102 of such title).

(b) Director of Accessibility Services

(1) Appointment, pay, and removal

(A) Appointment and pay

The Director of Accessibility Services shall be appointed by the Congressional Accessibility Services Board and shall be paid at a rate of pay determined by the Congressional Accessibility Services Board.

(B) Removal

Upon removal of the Director of Accessibility Services, the Congressional Accessibility Services Board shall immediately provide notice of the removal to the Committee on Rules and Administration of the Senate, the Committee on House Adminis-

tration of the House of Representatives, and the Committees on Appropriations of the House of Representatives and Senate. The notice shall include the reasons for the removal.

(2) Personnel and other administrative functions

(A) Personnel, disbursements, and contracts

In carrying out the functions of the Office of Congressional Accessibility Services under subsection (a), the Director of Accessibility Services shall have the authority to—

(i) appoint, hire, and fix the compensation of such personnel as may be necessary for operations of the Office of Congressional Accessibility Services, except that no employee may be paid at an annual rate in excess of the annual rate of pay for the Director of Accessibility Services;

(ii) take appropriate disciplinary action, including, when circumstances warrant, suspension from duty without pay, reduction in pay, demotion, or termination of employment with the Office of Congressional Accessibility Services, against any employee;

(iii) disburse funds as may be necessary and available for the needs of the Office of Congressional Accessibility Services; and

(iv) serve as contracting officer for the Office of Congressional Accessibility Services.

(B) Agreements with the Office of the Architect of the Capitol, with other legislative branch agencies, and with offices of the Senate and House of Representatives

Subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, the Director of Accessibility Services may place orders and enter into agreements with the Office of the Architect of the Capitol, with other legislative branch agencies, and with any office or other entity of the Senate or House of Representatives for procuring goods and providing financial and administrative services on behalf of the Office of Congressional Accessibility Services, or to otherwise assist the Director in the administration and management of the Office of Congressional Accessibility Services.

(3) Semiannual reports

The Director of Accessibility Services shall submit a report to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives not later than 45 days following the close of each semiannual period ending on March 31 or September 30 of each year on the financial and operational status during the period of each function under the jurisdiction of the Director. Each such report shall include financial statements and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

(Pub. L. 101–163, title III, §310, Nov. 21, 1989, 103 Stat. 1065; Pub. L. 104–53, title I, §112, Nov. 19, 1995, 109 Stat. 525; Pub. L. 110–437, title IV, §411(a), Oct. 20, 2008, 122 Stat. 4993.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1990.

AMENDMENTS

2008—Pub. L. 110–437 amended section generally, substituting provisions relating to Office of Congressional Accessibility Services for provisions relating to Special Services Office.

1995—Pub. L. 104–53 substituted “Sergeant at Arms” for “Clerk” after “comprised of the” and “Architect of the Capitol” for “Librarian of Congress”.

TRANSFER OF FUNCTIONS

For transfer of contracts, liabilities, records, property, appropriations, other assets and interests, and employees of the Congressional Special Services Office of Capitol Guide Service to the Office of Congressional Accessibility Services, see section 2252 of this title.

§ 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.)