

§ 274. Staff; office equipment and supplies

The Legislative Counsel shall, subject to the approval of the President pro tempore of the Senate, employ and fix the compensation of such Assistant Counsel, clerks, and other employees, and purchase such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the Office and as may be appropriated for by Congress.

(Feb. 24, 1919, ch. 18, title XIII, §1303(a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353; Sept. 20, 1941, ch. 412, title VI, §602, 55 Stat. 726.)

CODIFICATION

As originally enacted, section also provided for legislative counsel of House of Representatives, subject to approval of Speaker, to employ and fix the compensation of assistant counsel, clerks, etc. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit applicability to authority of Legislative Counsel of the Senate. See section 282a et seq. of this title for provisions relating to appointment of staff, etc., for Office of Legislative Counsel of the House of Representatives.

AMENDMENTS

1941—Act Sept. 20, 1941, substituted “President pro tempore of the Senate” for “President of the Senate”.

DESIGNATION OF DEPUTY LEGISLATIVE COUNSEL

Pub. L. 106-57, title I, §6, Sept. 29, 1999, 113 Stat. 412, provided that: “The Legislative Counsel may, subject to the approval of the President pro tempore of the Senate, designate one of the Senior Counsels appointed under section 102 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 274 note; Public Law 95-391; 92 Stat. 771) as Deputy Legislative Counsel. The Deputy Legislative Counsel shall perform the functions of the Legislative Counsel during the absence or disability of the Legislative Counsel, or when the office is vacant.”

SENIOR COUNSEL

Pub. L. 85-75, July 1, 1957, 71 Stat. 251, provided in part that: “No more than three employees in the Office of the Legislative Counsel of the Senate may be designated as Senior Counsel, whose compensation shall be \$15,500 gross per annum each.”

ADDITIONAL SENIOR COUNSEL

Pub. L. 95-391, title I, §102, Sept. 30, 1978, 92 Stat. 771, provided that: “Effective October 1, 1978, the number of employees in the Office of the Legislative Counsel of the Senate who may be designated as, and receive the compensation of, a Senior Counsel is increased to five.”

Pub. L. 88-248, Dec. 30, 1963, 77 Stat. 804, provided in part: “That effective July 1, 1963, one additional employee in the Office of the Legislative Counsel of the Senate may be designated as Senior Counsel, and the compensation of the additional employee so designated shall be equal to the gross per annum rate presently authorized for other employees so designated.”

INCREASES IN COMPENSATION OF FOUR SENIOR COUNSELS

Pub. L. 94-59, title I, §105, July 25, 1975, 89 Stat. 275, eff. July 1, 1975, provided in part that the four Senior Counsels in the Office of the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of \$39,000.

Pub. L. 93-371, §4, Aug. 13, 1974, 88 Stat. 429, eff. July 1, 1974, provided in part that the four Senior Counsels

in the Office of the Legislative Counsel of the Senate shall each be paid at an annual rate of compensation of \$37,620.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 4 of Pub. L. 93-371, set out in part as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 275. Functions

The Office of the Legislative Counsel shall aid in drafting public bills and resolutions or amendments thereto on the request of any committee of the Senate but the Committee on Rules and Administration of the Senate may determine the preference, if any, to be given to such requests of the committees. The Legislative Counsel shall, from time to time, prescribe rules and regulations for the conduct of the work of the Office for the committees, subject to the approval of such Committee on Rules and Administration.

(Feb. 24, 1919, ch. 18, title XIII, §1303(b), (d), 40 Stat. 1141; June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353; Aug. 2, 1946, ch. 753, title I, §§102, 121, 60 Stat. 814, 822.)

CODIFICATION

Provisions setting forth functions of office of legislative counsel with respect to the House of Representatives and the committees thereof were omitted in view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title. See section 281b of this title for functions of Office of Legislative Counsel of House of Representatives.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Library Committee of the Senate” and “Committee on House Administration” for “Library Committee of the House of Representatives”.

EFFECTIVE DATE OF 1946 AMENDMENT

Act Aug. 2, 1946, ch. 753, title I, §142, 60 Stat. 834, provided that the amendment made by that act is effective Jan. 2, 1947.

§ 276. Disbursement of appropriations

All appropriations for the Office of the Legislative Counsel shall be disbursed by the Secretary of the Senate.

(Feb. 24, 1919, ch. 18, title XIII, §1303(c), (d), 40 Stat. 1142; June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353.)

CODIFICATION

As originally enacted, section provided for disbursement of one-half of appropriations for office of legisla-

tive counsel by Secretary of Senate and one-half by Clerk of House of Representatives. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit application to Office of the Legislative Counsel of the Senate. See section 282c of this title for provisions relating to expenditures by Legislative Counsel of the House of Representatives.

§ 276a. Expenditures

With the approval of the President Pro Tempore of the Senate, the Legislative Counsel of the Senate may make such expenditures as may be necessary or appropriate for the functioning of the Office of the Legislative Counsel of the Senate.

(Pub. L. 98-51, title I, §105, July 14, 1983, 97 Stat. 267.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of section 1303 of act Feb. 24, 1919 which comprises this subchapter.

§ 276b. Travel and related expenses

Funds expended by the Legislative Counsel of the Senate for travel and related expenses shall be subject to the same regulations and limitations (insofar as they are applicable) as those which the Senate Committee on Rules and Administration prescribes for application to travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(Pub. L. 98-51, title I, §106, July 14, 1983, 97 Stat. 267.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of section 1303 of act Feb. 24, 1919 which comprises this subchapter.

Section, as it relates to funds expended by the Senate Legal Counsel, is classified to section 288n of this title.

§ 277. Repealed. Pub. L. 93-191, § 13, Dec. 18, 1973, 87 Stat. 746

Section, act Feb. 24, 1919, ch. 18, title XIII, §1303(d), as added June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353, provided for free transmission of official mail matter of legislative counsel. Official mail matter of Legislative Counsel of House of Representatives is covered by section 282d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART I—PURPOSE, POLICY, AND FUNCTION

§ 281. Establishment

There is established in the House of Representatives an office to be known as the Office of the Legislative Counsel, referred to hereinafter in this subchapter as the "Office".

(Pub. L. 91-510, title V, §501, Oct. 26, 1970, 84 Stat. 1201.)

EFFECTIVE DATE

Subchapter effective Oct. 26, 1970, see section 601(5) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

TRANSFER OF FUNCTIONS; NONAPPLICABILITY OF SECTIONS 271 TO 277 TO THE HOUSE

Pub. L. 91-510, title V, §531, Oct. 26, 1970, 84 Stat. 1203, provided that: "Any individual who on the date of the enactment of this Act [Oct. 26, 1970] is serving under an appointment by the Speaker as Legislative Counsel of the House of Representatives shall continue as Legislative Counsel of the House of Representatives in accordance with this subtitle [this subchapter]. All personnel, positions, property, records, and unexpended balances of appropriations of or for that part of the Office of the Legislative Counsel established under section 1303 of the Revenue Act of 1918 (2 U.S.C., ch. 9) [sections 271 to 277 of this title] employed or held in or for the House of Representatives shall be transferred to the Office established under this subtitle; and, effective upon the date of enactment of this Act, the provisions of section 1303 of the Revenue Act of 1918 shall have no further applicability of any kind to the Speaker or to any committee, officer, employee, or property of the House of Representatives."

§ 281a. Purpose and policy

The purpose of the Office shall be to advise and assist the House of Representatives, and its committees and Members, in the achievement of a clear, faithful, and coherent expression of legislative policies. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House of Representatives, and shall not advocate the adoption or rejection of any legislation except when duly requested by the Speaker or a committee to comment on a proposal directly affecting the functions of the Office. The Office shall maintain the attorney-client relationship with respect to all communications between it and any Member or committee of the House.

(Pub. L. 91-510, title V, §502, Oct. 26, 1970, 84 Stat. 1202.)

§ 281b. Functions

The functions of the Office shall be as follows:

(1) Upon request of the managers on the part of the House at any conference on the disagreeing votes of the two Houses, to advise and assist the managers on the part of the House in the course of the conference, and to assist the committee of conference in the preparation of the conference report and any accompanying explanatory statement.

(2) Upon request of any committee of the House, or any joint committee having authority to report legislation to the House, to advise and assist the committee in the consideration of any legislation before it, and to assist the committee in the preparation of drafts of any such legislation, amendments thereto, and reports thereon.

(3) Upon request of any Member having control of time during the consideration of any legislation by the House, to have in attendance on the floor of the House not more than two members of the staff of the Office (and, in