

**§ 38. Repealed. Pub. L. 104-186, title II, § 203(4), Aug. 20, 1996, 110 Stat. 1725**

Section, R.S. §§ 49, 50; acts Jan. 20, 1874, ch. 11, 18 Stat. 4; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301, related to pay of Member dying after commencement of Congress. See section 5305 of this title.

**§ 38a. Transferred**

CODIFICATION

Section 38a was editorially reclassified as section 5305 of this title.

**§ 38b. Omitted**

CODIFICATION

Section, June 5, 1952, ch. 369, Ch. I, 66 Stat. 101; Pub. L. 104-186, title II, § 203(6), Aug. 20, 1996, 110 Stat. 1725, was set out as both this section and section 125a of this title prior to section 125a being editorially reclassified as section 4506 of this title.

**§ 39. Transferred**

CODIFICATION

Section 39 was editorially reclassified as section 5306 of this title.

**§ 40. Transferred**

CODIFICATION

Section 40 was editorially reclassified as section 4522 of this title.

**§ 40a. Transferred**

CODIFICATION

Section 40a was editorially reclassified as section 4523 of this title.

**§§ 41, 42. Repealed. Pub. L. 104-186, title II, § 203(9)(A), (10), Aug. 20, 1996, 110 Stat. 1726**

Section 41, R.S. § 43, provided that no Member or Delegate was entitled to any allowance for newspapers.

Section 42, based on H. Res. No. 420, Ninety-second Congress, May 18, 1971, enacted into permanent law by Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 636, related to furnishing of postage stamps to Members, committees, and officers of House of Representatives.

A prior section 42, R.S. § 44, which proscribed compensation or allowance to Senators, Representatives, or Delegates for postage, was repealed by Pub. L. 104-186, title II, § 203(11), Aug. 20, 1996, 110 Stat. 1726. See sections 6116 and 6117 of this title.

APPLICABILITY OF PROHIBITION DURING NINETY-FIFTH CONGRESS

Section 302(c) of H. Res. No. 287, Ninety-fifth Congress, Mar. 2, 1977, enacted into permanent law by Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668, which provided that former section 41 of this title was to have no effect during the Ninety-fifth Congress, was repealed by Pub. L. 104-186, title II, § 203(9)(B), Aug. 20, 1996, 110 Stat. 1726.

**§ 42a. Transferred**

CODIFICATION

Section 42a was editorially reclassified as section 6116 of this title.

PRIOR PROVISIONS

A prior section 42a, acts July 1, 1941, ch. 268, 55 Stat. 450; June 26, 1944, ch. 277, title I, 58 Stat. 339; June 13, 1945, ch. 189, 59 Stat. 243; Oct. 11, 1951, ch. 485, 65 Stat. 391; July 2, 1954, ch. 455, title I, 68 Stat. 402; Aug. 5, 1955,

ch. 568, 69 Stat. 503; June 27, 1956, ch. 453, 70 Stat. 359; July 31, 1958, Pub. L. 85-570, 72 Stat. 442; July 12, 1960, Pub. L. 86-628, 74 Stat. 449; Dec. 30, 1963, Pub. L. 88-248, 77 Stat. 805; July 27, 1965, Pub. L. 89-90, 79 Stat. 268; July 23, 1968, Pub. L. 90-417, 82 Stat. 400; Dec. 12, 1969, Pub. L. 91-145, 83 Stat. 342; July 9, 1971, Pub. L. 92-51, 85 Stat. 128; Oct. 31, 1972, Pub. L. 92-607, ch. V, § 506(k)(1), formerly § 506(h)(1), 86 Stat. 1508, redesignated § 506(i)(1) by Pub. L. 95-391, title I, Sept. 30, 1978, 92 Stat. 773, redesignated § 506(j)(1) by Pub. L. 96-304, title I, § 101, July 8, 1980, 94 Stat. 889, and redesignated § 506(k)(1) by Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189, provided for an airmail and special-delivery postage allowance for President of the Senate, prior to repeal by section 127(a)(2) of Pub. L. 97-51.

**§§ 42a-1, 42b. Omitted**

CODIFICATION

Section 42a-1, act July 2, 1954, ch. 455, title I, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for Speaker and House majority and minority leaders and whips, and was omitted from the Code as superseded by former section 42d of this title.

Section 42b, acts June 22, 1949, ch. 235, 63 Stat. 222; July 2, 1954, ch. 455, title I, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for each House standing committee, and was omitted from the Code as superseded by former section 42c of this title.

**§§ 42c, 42d. Repealed. Pub. L. 104-186, title II, § 203(12), Aug. 20, 1996, 110 Stat. 1726**

Section 42c, Pub. L. 85-778, § 1, Aug. 27, 1958, 72 Stat. 934; H. Res. No. 532, Eighty-eighth Congress, Oct. 2, 1963, enacted into permanent law by Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550; H. Res. No. 1003, Ninetieth Congress, Dec. 14, 1967, enacted into permanent law by Pub. L. 90-392, title I, July 9, 1968, 82 Stat. 318, related to airmail and special delivery stamps for House Members and standing committees.

Section 42d, Pub. L. 85-778, § 2, Aug. 27, 1958, 72 Stat. 934; H. Res. No. 532, Eighty-eighth Congress, Oct. 2, 1963, enacted into permanent law by Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550; H. Res. No. 1003, Ninetieth Congress, Dec. 14, 1967, enacted into permanent law by Pub. L. 90-392, title I, July 9, 1968, 82 Stat. 318, related to airmail and special delivery stamps for House Speaker, leaders, whips, and officers.

EXISTING ENTITLEMENTS

Pub. L. 85-778, §§ 3, 4, Aug. 27, 1958, 72 Stat. 934, which provided that Members, committees, and officers of the House of Representatives retained their existing entitlements to airmail and special delivery postage stamps until June 30, 1959, and thereafter the airmail and special delivery stamps made available under former sections 42c and 42d of this title were to be in lieu of any made available under any other law, were repealed by Pub. L. 104-186, title II, § 203(12), Aug. 20, 1996, 110 Stat. 1726.

**§§ 43, 43a. Omitted**

CODIFICATION

Section 43, acts July 28, 1866, ch. 296, § 17, 14 Stat. 323; Aug. 11, 1993, Pub. L. 103-69, title III, § 310(a), 107 Stat. 712, provided for Senators to receive mileage for travel to and from regular sessions, and was omitted from the Code in view of the termination of mileage under this section for Senators by section 1(a) of Pub. L. 104-53, set out below.

Section 43a, acts July 8, 1935, ch. 374, 49 Stat. 459; Aug. 11, 1993, Pub. L. 103-69, title III, § 310(b), 107 Stat. 712, provided for President of Senate to be paid mileage, and was omitted from the Code in view of the termination of mileage under this section for President of Senate by section 1(b) of Pub. L. 104-53, set out below.

TERMINATION OF MILEAGE FOR SENATORS AND  
PRESIDENT OF SENATE

Pub. L. 104-53, title I, §1, Nov. 19, 1995, 109 Stat. 517, provided that:

“(a) On and after October 1, 1995, no Senator shall receive mileage under section 17 of the Act of July 28, 1866 (2 U.S.C. 43).

“(b) On and after October 1, 1995, the President of the Senate shall not receive mileage under the first section of the Act of July 8, 1935 (2 U.S.C. 43a).”

**§§ 43b, 43b-1. Repealed. Pub. L. 104-186, title II, § 203(13), (14), Aug. 20, 1996, 110 Stat. 1726**

Section 43b, Pub. L. 85-570, July 31, 1958, 72 Stat. 443; Pub. L. 86-176, Aug. 21, 1959, 73 Stat. 401; Pub. L. 88-70, July 19, 1963, 77 Stat. 82; Pub. L. 89-90, July 27, 1965, 79 Stat. 269; Pub. L. 89-147, §1, Aug. 28, 1965, 79 Stat. 583; Pub. L. 89-545, Aug. 27, 1966, 80 Stat. 358; Pub. L. 90-86, §1, Sept. 17, 1967, 81 Stat. 226; Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 343; Pub. L. 92-51, July 9, 1971, 85 Stat. 128; Pub. L. 92-607, ch. V, §§502, 506(k)(2), formerly §506(h)(2), Oct. 31, 1972, 86 Stat. 1504, 1508, renumbered §506(i)(2), Pub. L. 95-391, title I, §108(a), Sept. 30, 1978, 92 Stat. 773, renumbered §506(j)(2), Pub. L. 96-304, title I, §101, July 8, 1980, 94 Stat. 889, renumbered §506(k)(2), Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189, provided for reimbursement of House Members for additional transportation expenses.

Section 43b-1, Pub. L. 89-147, §2, Aug. 28, 1965, 79 Stat. 583; Pub. L. 90-86, §2, Sept. 17, 1967, 81 Stat. 226, authorized election by House Members of lump sum transportation payments in lieu of reimbursement of transportation expenses.

**§ 43b-2. Transferred**

CODIFICATION

Section 43b-2 was editorially reclassified as section 5343 of this title.

**§ 43b-3. Transferred**

CODIFICATION

Section 43b-3 was editorially reclassified as section 5344 of this title.

**§ 43c. Repealed. Pub. L. 89-147, § 4, Aug. 28, 1965, 79 Stat. 584**

Section, Pub. L. 86-628, §105(c), July 12, 1960, 74 Stat. 461, restricted payment of travel or subsistence expenses of Senators and Representatives to specifically authorized trips, official participation in funeral services of deceased Members, and official trips originating in Senator's State or Representative's district when Congress was not in session.

**§ 43d. Transferred**

CODIFICATION

Section 43d was editorially reclassified as section 6311 of this title.

**§§ 44 to 46. Omitted**

CODIFICATION

Section 44, act May 7, 1906, ch. 2083, §1, 34 Stat. 170, authorized a mileage allowance to Delegate from Alaska, and was omitted from the Code as obsolete because Alaska was admitted into the Union with membership of one Representative in Congress on Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1, 7 and 8 of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Section 45, acts July 1, 1902, ch. 1369, §8, 32 Stat. 694; Aug. 29, 1916, ch. 416, §20, 39 Stat. 552, which authorized

a mileage allowance to Resident Commissioners from Philippine Islands, and was formerly covered by section 1237 of Title 48, Territories and Insular Possessions, is no longer in force in view of the independence of the Philippine Islands effected by section 1394 of Title 22, Foreign Relations and Intercourse, and proclaimed by the President of the United States in Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, set out as note under section 1394 of Title 22. Act Aug. 29, 1916, ch. 416, §20, 39 Stat. 552, from which section 45 of this title was derived, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 643.

Section 46, acts Mar. 2, 1917, ch. 145, §36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, allowed sum of \$500 as mileage for each session to Resident Commissioner, and was omitted from the Code as superseded by former section 43b-1 of this title.

**§ 46a. Transferred**

CODIFICATION

Section 46a was editorially reclassified as section 6117 of this title.

**§ 46a-1. Transferred**

CODIFICATION

Section 46a-1 was editorially reclassified as section 6573 of this title.

**§ 46a-2. Omitted**

CODIFICATION

Section, Pub. L. 89-545, §101, Aug. 27, 1966, 80 Stat. 356, provided, effective fiscal year 1967 and thereafter, for stationery allowance of \$3,000 per annum for Senators from States having population of 10 million or more inhabitants. See amendment by Pub. L. 90-21 to section 6117 of this title providing such an allowance to all Senators effective fiscal year 1967 and thereafter.

**§ 46a-3. Repealed. Pub. L. 92-607, ch. V, § 506(k)(4), formerly § 506(h)(4), Oct. 31, 1972, 86 Stat. 1508, renumbered § 506(i)(4), Pub. L. 95-391, title I, § 108(a), Sept. 30, 1978, 92 Stat. 773, renumbered § 506(j)(4), Pub. L. 96-304, title I, § 101, July 8, 1980, 94 Stat. 889, renumbered § 506(k)(4), Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189**

Section, Pub. L. 90-417, §106, July 23, 1968, 82 Stat. 413, placed limits on the availability of the stationery allowance for Senators. See section 6314 of this title.

EFFECTIVE DATE OF REPEAL

Pub. L. 92-607, ch. V, §506(k), formerly §506(h), Oct. 31, 1972, 86 Stat. 1507, as amended by Pub. L. 93-145, §101, Nov. 1, 1973, 87 Stat. 532, and renumbered §506(i) by Pub. L. 95-391, title I, §108(a), Sept. 30, 1978, 92 Stat. 773, renumbered §506(j) by Pub. L. 96-304, title I, §101, July 8, 1980, 94 Stat. 889, and renumbered §506(k) by Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189, provided that, insofar as this section has application to Senators, the repeal is effective Jan. 1, 1973.

**§ 46a-4. Omitted**

CODIFICATION

Section, Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 342, made section 46a-3 of this title applicable to President of Senate, and was omitted from the Code in view of the repeal of section 46a-3.

**§ 46b. Repealed. Pub. L. 104-186, title II, § 203(16), Aug. 20, 1996, 110 Stat. 1727**

Section, acts July 2, 1954, ch. 455, title I, 68 Stat. 402; July 12, 1960, Pub. L. 86-628, 74 Stat. 452; H. Res. No. 533,