

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.)

CODIFICATION

Section was formerly classified to section 92a of this title prior to editorial reclassification and renumbering as this section.

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.

§ 5324. Pay of clerical assistants as affected by death or resignation of Member of House

Notwithstanding the provisions of section 5323 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.)

CODIFICATION

Section was formerly classified to section 92b of this title prior to editorial reclassification and renumbering as this section.

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

Act Aug. 21, 1935, ch. 600, §4, 49 Stat. 680, provided that: "This joint resolution [enacting sections 5324 to 5326 of this title] shall be effective as of the beginning of the Seventy-fourth Congress, January 3, 1935."

§ 5325. 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 5324 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.)

CODIFICATION

Section was formerly classified to section 92c of this title prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 5324 of this title.

§ 5326. "Member of the House" defined

As used in section 5324 of this title the phrase "Member of the House" shall mean a Representative, Representative-elect, Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect.

(Aug. 21, 1935, ch. 600, §3, 49 Stat. 680.)

CODIFICATION

Section was formerly classified to section 92d of this title prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 5324 of this title.

§ 5327. Termination of service of Members of House

(a) Until otherwise provided by law, for purposes of sections 5324, 5325, and 5326 of this title, any termination of service during a term of office of a Member of the House that is not described in section 5324 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 5325 of this title in the carrying out of sections 5327 to 5329 of this title.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959.)

CODIFICATION

Section was formerly classified to section 92b-1 of this title prior to editorial reclassification and renumbering as this section.

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.

§ 5328. 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 5327 to 5329 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 was formerly classified to section 92b-2 of this title prior to editorial reclassification and renumbering as this section.

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".