

Pub. L. 111-68, div. A, Oct. 1, 2009, 123 Stat. 2023. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 74a-11a of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 2012, which is div. G of the Consolidated Appropriations Act, 2012.

§ 5105. Transfer of appropriations by House Leadership Offices

(a) In general

Each office described under the heading “HOUSE LEADERSHIP OFFICES” in the Act making appropriations for the legislative branch for a fiscal year may transfer any amounts appropriated for the office under such heading among the various categories of allowances and expenses for the office under such heading.

(b) Official expenses

Subsection (a) shall not apply with respect to any amounts appropriated for official expenses.

(c) Applicability

This section shall apply with respect to fiscal year 1999 and each succeeding fiscal year.

(Pub. L. 106-31, title III, §3009, May 21, 1999, 113 Stat. 93.)

CODIFICATION

Section was formerly classified to section 74a-11 of this title prior to editorial reclassification and renumbering as this section.

Section is from the 1999 Emergency Supplemental Appropriations Act.

SUBCHAPTER II—THE SPEAKER

§ 5121. Expense allowance of Speaker of House of Representatives

There shall be paid to the Speaker of the House of Representatives in equal monthly installments an expense allowance of \$10,000 per annum to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which no accounting, other than for income tax purposes, shall be made by him.

(Jan. 19, 1949, ch. 2, §1(e), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, §619(c), 65 Stat. 570; Pub. L. 104-186, title II, §203(1), Aug. 20, 1996, 110 Stat. 1725.)

CODIFICATION

Section was formerly classified to section 31b of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Pub. L. 104-186 struck out “(which shall be in lieu of the allowance provided by section 601(b) of the Legislative Reorganization Act of 1946, as amended)” after “per annum”.

1951—Act Oct. 20, 1951, made Speaker’s expense allowance taxable.

EFFECTIVE DATE OF 1951 AMENDMENT

Amendment by act Oct. 20, 1951, effective at noon, Jan. 3, 1953, see section 619(e) of act Oct. 20, 1951, set out as a note under section 102 of Title 3, The President.

EFFECTIVE DATE

Section effective at noon, Jan. 20, 1949, see section 3 of act Jan. 19, 1949.

§ 5122. Personal services in office of Speaker; payments

There shall be paid from the applicable accounts of the House of Representatives until otherwise provided by law, for personal services in the office of the Speaker of the House, an additional basic sum of \$10,000 per annum.

(Pub. L. 87-730, §103, Oct. 2, 1962, 76 Stat. 693; Pub. L. 104-186, title II, §204(14), Aug. 20, 1996, 110 Stat. 1732.)

CODIFICATION

Section was formerly classified to section 74-1 of this title prior to editorial reclassification and renumbering as this section.

Section is based on House Resolution No. 487, Eighty-seventh Congress, Jan. 10, 1962, which was enacted into permanent law by Pub. L. 87-730.

AMENDMENTS

1996—Pub. L. 104-186 substituted “applicable accounts of the House of Representatives” for “contingent fund of the House”.

§ 5123. Speaker’s Office for Legislative Floor Activities

There is established in the House of Representatives an office to be known as the Speaker’s Office for Legislative Floor Activities. The Speaker shall appoint and set the annual rate of pay for employees of the Office. The Office shall have the responsibility of assisting the Speaker in the management of legislative floor activity.

(Pub. L. 104-53, title I, §103, Nov. 19, 1995, 109 Stat. 520.)

CODIFICATION

Section was formerly classified to section 74a-7 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 223(b) of House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995, which was enacted into permanent law by Pub. L. 104-53.

TRANSFER OF MAJORITY AND MINORITY POSITIONS

Pub. L. 107-68, title I, §113, Nov. 12, 2001, 115 Stat. 572, provided that:

“(a) Effective October 1, 2001, the following four majority positions shall be transferred from the Clerk to the Speaker:

- “(1) The position of chief of floor service.
- “(2) Two positions of assistant floor chief.
- “(3) One position of cloakroom attendant.

“(b) Effective October 1, 2001, the following four minority positions shall be transferred from the Clerk to the minority leader:

- “(1) The position of chief of floor service.
- “(2) Two positions of assistant floor chief.
- “(3) One position of cloakroom attendant.

“(c) Notwithstanding any other provision of law, in the case of an individual who is an incumbent of a position transferred under subsection (a) or subsection (b) at the time of the transfer, the total number of days of annual leave and the total number of days of sick leave which were provided by the Clerk to the individual and which remain unused as of the date of the transfer shall remain available for the individual to use after the transfer.”

§ 5124. Lump sum allowance for Speaker

(a) The aggregate amount otherwise authorized to be appropriated for a fiscal year for the

lump-sum allowance for the Office of the Speaker of the House of Representatives shall be increased by \$40,000.

(b) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-68, title I, §117, Nov. 12, 2001, 115 Stat. 573.)

CODIFICATION

Section was formerly classified to section 74a-12 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 2002, which is title I of the Legislative Branch Appropriations Act, 2002.

§ 5125. Former Speakers of House of Representatives; retention of office, furniture, etc., in Congressional district following expiration of term as Representative; exceptions

(a) Each former Speaker of the House of Representatives (hereafter referred to in sections 5125 to 5129 of this title as the “Speaker”) is entitled to retain, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress the complete and exclusive use of one office selected by him in order to facilitate the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives. Such office shall be located in the United States and shall be furnished and maintained by the Government in a condition appropriate for his use.

(b) Sections 5125 to 5129 of this title shall not apply with respect to any former Speaker of the House of Representatives for any period during which such former Speaker holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate or to any former Speaker separated from the service by reason of expulsion from the House.

(Pub. L. 91-665, ch. VIII, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, §1, Dec. 22, 1974, 88 Stat. 1723; Pub. L. 99-225, Dec. 28, 1985, 99 Stat. 1743.)

CODIFICATION

Section was formerly classified to section 31b-1 of this title prior to editorial reclassification and renumbering as this section.

Subsection (a) of this section is based on section 1 of House Resolution No. 1238, Ninety-first Congress, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.

Subsection (b) of this section is based on section 1(b) of Pub. L. 93-532.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under this section.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-225 substituted “one office selected by him in order to facilitate the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives. Such office shall be located

in the United States and shall be furnished and maintained by the Government in a condition appropriate for his use” for “the Federal office space which is currently made available for his use in the congressional district represented by him and which shall be maintained by the Government in a condition appropriate for his use as he may request, together with all furniture, equipment, and furnishings currently made available by the Government for his use in connection with such office space, including any necessary replacements of such office furniture, equipment, and furnishings, in order to facilitate the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives”.

EFFECTIVE DATE

Section 7 of House Resolution No. 1238, Ninety-first Congress, Dec. 23, 1970, as enacted into permanent law by Pub. L. 91-665, ch. VIII, Jan. 8, 1971, 84 Stat. 1989, provided that: “The foregoing provisions of this resolution [enacting this section, former sections 31b-3 and 31b-6 of this title, and sections 5126 to 5128 of this title] shall become effective on the date of the enactment of this resolution as permanent law [Jan. 8, 1971].”

EXTENSION OF HOUSE RESOLUTION NO. 1238, 91ST CONGRESS, TO FORMER SPEAKERS OF HOUSE OF REPRESENTATIVES

Pub. L. 93-532, §1(a), Dec. 22, 1974, 88 Stat. 1723, provided that: “The provisions of H. Res. 1238, Ninety-first Congress, as enacted into permanent law by the Supplemental Appropriations Act, 1971 (84 Stat. 1989) [enacting this section, former sections 31b-3 and 31b-6 of this title, sections 5126 to 5128 of this title, and provisions set out as a note under this section], are hereby extended to, and made applicable with respect to, each former Speaker of the House of Representatives, as long as he determines there is need therefor, commencing at the expiration of his term of office as Representative in Congress.”

§ 5126. Allowance available to former Speaker for payment of office and other expenses for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker

The Speaker is entitled to have the applicable accounts of the House of Representatives be available for payment of, for as long as he determines there is need therefor, commencing at the expiration of his term of office as a Representative in Congress, an allowance equal to the Members’ Representational Allowance (to be paid in the same manner as such Allowance) for office and other expenses incurred in connection with the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives.

(Pub. L. 91-665, ch. VIII, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, §1(a), Dec. 22, 1974, 88 Stat. 1723; Pub. L. 99-151, title I, §102(b), Nov. 13, 1985, 99 Stat. 797; Pub. L. 104-186, title II, §203(2), Aug. 20, 1996, 110 Stat. 1725.)

CODIFICATION

Section was formerly classified to section 31b-2 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 2 of House Resolution No. 1238, Ninety-first Congress, Dec. 23, 1970, which was enacted into permanent law by Pub. L. 91-665.