

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE

Section 3 of House Resolution No. 420, Ninety-third Congress, as enacted into permanent law by Pub. L. 93-245, ch. VI, Jan. 3, 1974, 87 Stat. 1079, provided that: "The provisions of this resolution [enacting this section and repealing House Resolution No. 416, Eighty-ninth Congress, formerly classified to section 60g-2 of this title] shall become effective on January 1, 1974."

§ 5323. Pay of clerical assistants as affected by death of Senator or Representative

When a Senator or Member of the House of Representatives or Delegate or Resident Commissioner dies during his term of office the clerical assistants appointed by him, and then borne upon the pay rolls of the Senate or House of Representatives, shall be continued on such pay rolls in their respective positions and be paid for a period not longer than one month: *Provided*, 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”.

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§ 5329. Vouchers

Payments under sections 5327 to 5329 of this title shall be made on vouchers approved by the Committee on House Oversight of the House of Representatives and signed by the chairman of such committee.

(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-3 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 3 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

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SUBCHAPTER III—EXPENSES AND ALLOWANCES

§ 5341. Representational allowance for Members of House of Representatives

(a) In general

There is established for the House of Representatives a single allowance, to be known as the “Members’ Representational Allowance”,

which shall be available to support the conduct of the official and representational duties of a Member of the House of Representatives with respect to the district from which the Member is elected.

(b) Merger

The Clerk Hire Allowance, the Official Expenses Allowance, and the Official Mail Allowance, as in effect on the day before September 1, 1995, are merged into the Members’ Representational Allowance.

(c) “Member of the House of Representatives” defined

As used in this section, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(d) Regulations

The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(e) Effective date

This section shall take effect on September 1, 1995 and shall apply with respect to official and representational duties carried out on or after that date.

(Pub. L. 104-186, title I, §101, Aug. 20, 1996, 110 Stat. 1719.)

CODIFICATION

Section was formerly classified to section 57b of this title prior to editorial reclassification and renumbering as this section.

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§ 5342. Reimbursement of transportation expenses for employees in office of House Member

The applicable accounts of the House of Representatives is¹ made available after August 28, 1965, for reimbursement of transportation expenses incurred by not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips, in any calendar year between Washington, District of Columbia, and the place of residence of the Member representing the congressional district involved. Such payment shall be made only upon vouchers approved by the Member containing a certification by him that such travel was performed in line of official duty, but the mileage allowed for any such trip shall not exceed the round trip mileage by the nearest usual route between Washington, District of Columbia, and the Member’s place of residence in the congressional district involved. The Committee on House Oversight of the House of Representatives shall make such rules and

¹ So in original. Probably should be “are”.