

(d) Applicability to fiscal years

This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year, except that for purposes of making deposits into the Revolving Fund under subsection (a), the Chief Administrative Officer may deposit amounts provided by offices of the House of Representatives during fiscal year 2002 or any succeeding fiscal year.

(e) Applicability to telecommunications equipment

This section shall not apply with respect to any telecommunications equipment which is subject to coverage under section 5538¹ of this title (relating to the Net Expenses of Telecommunications Revolving Fund).

(Pub. L. 108–7, div. H, title I, §102, Feb. 20, 2003, 117 Stat. 353; Pub. L. 108–447, div. G, title I, §102(e), Dec. 8, 2004, 118 Stat. 3174.)

REFERENCES IN TEXT

Section 5538 of this title, referred to in subsec. (e), was in the original “section 103 of the Legislative Branch Appropriations Act, 2005” and was translated as reading “section 102” of that Act, meaning section 102 of div. G of Pub. L. 108–447, to reflect the probable intent of Congress, because section 103 of div. G of Pub. L. 108–447 does not relate to the Net Expenses of Telecommunications Revolving Fund.

CODIFICATION

Section was formerly classified to section 112g of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of the Consolidated Appropriations Resolution, 2003.

AMENDMENTS

2004—Subsec. (e), Pub. L. 108–447 added subsec. (e).

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108–447 applicable with respect to fiscal year 2005 and each succeeding fiscal year, see section 5538(f) of this title.

§ 5538. Net Expenses of Telecommunications Revolving Fund**(a) Establishment**

There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the Net Expenses of Telecommunications Revolving Fund (hereafter in this section referred to as the “Revolving Fund”), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from amounts provided by legislative branch offices to purchase, lease, obtain, and maintain the data and voice telecommunications services and equipment located in such offices.

(b) Use of amounts in Fund

Amounts in the Revolving Fund shall be used by the Chief Administrative Officer without fiscal year limitation to purchase, lease, obtain, and maintain the data and voice telecommunications services and equipment of legislative branch offices.

¹ See References in Text note below.

(c) Transfer authority

The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 5507(a) of this title.

(d), (e) Omitted**(f) Applicability**

This section and the amendments made by this section shall apply with respect to fiscal year 2005 and each succeeding fiscal year, except that for purposes of making deposits into the Revolving Fund under subsection (a), the Chief Administrative Officer may deposit amounts provided by legislative branch offices during fiscal year 2004 or any succeeding fiscal year.

(Pub. L. 108–447, div. G, title I, §102, Dec. 8, 2004, 118 Stat. 3174.)

CODIFICATION

Section was formerly classified to section 112h of this title prior to editorial reclassification and renumbering as this section.

Section is comprised of section 102 of div. G of Pub. L. 108–447. Subsecs. (d) and (e) of section 102 of div. G of Pub. L. 108–447 amended sections 5539 and 5537 of this title, respectively.

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 5539. Commissions and charges for public telephone or telecommunications services; deposit of receipts**(a) Authority of Chief Administrative Officer to receive commissions for providing public telephone service in House occupied areas**

Effective October 1, 1988, the Chief Administrative Officer of the House of Representatives is authorized to receive commissions for providing public telephone service in space occupied by the United States House of Representatives.

(b) Deposit of receipts; availability for expenditure

Receipts from the commissions and charges set forth in subsection (a) of this section shall be deposited in the United States Treasury for credit to the appropriation for “Salaries and Expenses of the United States House of Representatives”, and shall be available for expenditure upon the approval of the Committee on Appropriations of the House of Representatives.

(Pub. L. 100–458, title III, §306, Oct. 1, 1988, 102 Stat. 2182; Pub. L. 104–186, title II, §204(64), Aug. 20, 1996, 110 Stat. 1739; Pub. L. 108–447, div. G, title I, §102(d), Dec. 8, 2004, 118 Stat. 3174.)

CODIFICATION

Section was formerly classified to section 117f of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 1989.

AMENDMENTS

2004—Subsecs. (b), (c), Pub. L. 108–447 redesignated subsec. (c) as (b), substituted “subsection (a)” for “subsections (a) and (b)”, and struck out heading and text of former subsec. (b). Text read as follows: “The Chief Administrative Officer is authorized to receive for deposit, amounts charged to any legislative branch en-

tity, including the Congressional Budget Office and the Architect of the Capitol, for the provision of telephone or telecommunications services, except that no amount charged to the Members' Representational Allowance shall be deposited in accordance with this section."

1996—Subsec. (a). Pub. L. 104-186, §204(64)(A), substituted "Chief Administrative Officer" for "Clerk".

Subsec. (b). Pub. L. 104-186, §204(64)(B), substituted "Chief Administrative Officer" for "Clerk", struck out "but not limited to Legislative Service Organizations," after "entity, including", and substituted ", except that no amount charged to the Members' Representational Allowance" for "": *Provided*, That no amounts charged to the official expense allowances of Members of the House".

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-447 applicable with respect to fiscal year 2005 and each succeeding fiscal year, see section 5538(f) of this title.

§ 5540. Disposal of used or surplus furniture and equipment by Chief Administrative Officer of House; procedure; deposit of receipts

(1) The Chief Administrative Officer of the House of Representatives may dispose of used equipment of the House of Representatives, by trade-in or sale, directly or through the General Services Administration. Any direct disposal under the preceding sentence shall be in accordance with normal business practice and shall be at fair market value. Receipts from disposals under the first sentence of this section (together with receipts from sale of transcripts, waste paper and other items provided by law, and receipts for missing or damaged equipment) shall be deposited in the Treasury for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the "appropriate account of the House of Representatives" shall be the account of the Chief Administrative Officer of the House of Representatives.

(2) If disposal in accordance with paragraph (1) is not feasible because of age, location, condition, or any other relevant factor, the Chief Administrative Officer may donate the equipment to the government of a State, to a local government, or to an organization that is described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of title 26. Except as provided in paragraph (3), a donation under this paragraph—

(A) shall be at no cost to the Government; and

(B) may be made only if the used equipment has no recoverable value because disposal in accordance with paragraph (1), under the most favorable terms available to the Government, would result in a loss to the Government.

(3)(A) In the case of computer-related equipment, during fiscal year 1998 the Chief Administrative Officer may donate directly the equipment to a public elementary or secondary school of the District of Columbia without regard to whether the donation meets the requirements of the second sentence of paragraph (2), except that the total number of workstations donated as a result of this paragraph may not exceed 1,000.

(B) In this paragraph—

(i) the term "computer-related equipment" includes desktops, laptops, printers, file servers, and peripherals which are appropriate for use in public school education;

(ii) the terms "public elementary school" and "public secondary school" have the meaning given the terms elementary school and secondary school in section 7801 of title 20; and

(iii) the term "workstation" includes desktops and peripherals, file servers and peripherals, laptops and peripherals, printers and peripherals, and workstations and peripherals.

(C) The Committee on House Oversight shall have authority to issue regulations to carry out this paragraph.

(4) The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this subsection.

(5) As used in this section—

(A) the term "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

(B) the term "used equipment" means such used or surplus equipment (including furniture and motor vehicles) as the Committee on House Oversight of the House of Representatives may prescribe by regulation.

(Pub. L. 99-500, §101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(j), Oct. 30, 1986, 100 Stat. 3341-287; Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425; Pub. L. 101-163, title I, §103(a), Nov. 21, 1989, 103 Stat. 1049; Pub. L. 104-186, title II, §204(63), Aug. 20, 1996, 110 Stat. 1739; Pub. L. 105-55, title I, §106, Oct. 7, 1997, 111 Stat. 1184; Pub. L. 107-68, title I, §114(a), Nov. 12, 2001, 115 Stat. 572; Pub. L. 107-110, title X, §1076(b), Jan. 8, 2002, 115 Stat. 2091; Pub. L. 114-95, title IX, §9215(xx), Dec. 10, 2015, 129 Stat. 2184.)

CODIFICATION

Section was formerly classified to section 117e of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 104(a) of title I of H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), as incorporated by reference in section 101(j) of Pub. L. 99-500 and 99-591, as amended by Pub. L. 100-71, to be effective as if enacted into law.

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

AMENDMENTS

2015—Par. (3)(B)(ii). Pub. L. 114-95 substituted "given the terms elementary school and secondary school in section 7801" for "given such terms in section 7801".

2002—Par. (3)(B)(ii). Pub. L. 107-110 substituted "7801" for "8801".

2001—Par. (1). Pub. L. 107-68, in third sentence, substituted "for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the 'appropriate account of the House of Representatives' shall be the account of the Chief Administrative Officer of the House of Representatives" for "for credit to the appropriate account under the appropriation for 'ALLOWANCES AND EXPENSES' under the heading 'CONTINGENT EXPENSES OF THE HOUSE', and shall be available for expenditure in accordance with applicable law".