

20, 1996, 110 Stat. 1726; Pub. L. 109-55, title I, § 5, Aug. 2, 2005, 119 Stat. 568.)

#### CODIFICATION

Section was formerly classified to section 39 of this title prior to editorial reclassification and renumbering as this section.

R.S. §40 derived from act Aug. 16, 1856, ch. 123, §6, 11 Stat. 49.

#### AMENDMENTS

2005—Pub. L. 109-55 struck out “Secretary of the Senate and the” before “Chief Administrative Officer”, “, respectively,” before “shall deduct from”, “, respectively” before “, unless such Member”, and “Senate or” after “absent from the”.

1996—Pub. L. 104-186 substituted “the Chief Administrative Officer of the House of Representatives (upon certification by the Clerk of the House of Representatives)” for “Sergeant-at-Arms of the House”.

1981—Pub. L. 97-51 substituted “from the monthly payments (or other periodic payments authorized by law)” for “from the monthly payments”.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-51 effective in the case of compensation payable for months after December 1981, see section 112(e) of Pub. L. 97-51, set out as a note under section 6301 of this title.

### § 5307. Certification of salary and mileage accounts

Salary and mileage accounts of Representatives and Delegates shall be certified by the Speaker of the House of Representatives; and such certificates shall be conclusive upon all the departments and officers of the Government.

(R.S. §§47, 48; Pub. L. 108-447, div. G, title I, §11, Dec. 8, 2004, 118 Stat. 3171.)

#### CODIFICATION

Section was formerly classified to section 48 of this title prior to editorial reclassification and renumbering as this section.

R.S. §47 derived from acts July 28, 1866, ch. 296, §17, 14 Stat. 323, and Jan. 22, 1818, ch. 5, §3, 3 Stat. 404.

R.S. §48 derived from act Sept. 30, 1850, ch. 90, §1, 9 Stat. 523.

R.S. §47 constitutes first clause and R.S. §48 constitutes remainder.

Words “mileage accounts” substituted for words “accounts for traveling expenses in going to and returning from Congress” based on text of section 17 of act July 28, 1866, ch. 296, 14 Stat. 323.

#### AMENDMENTS

2004—Pub. L. 108-447 substituted “of Representatives and Delegates shall be certified” for “of Senators shall be certified by the President of the Senate, and those of Representatives and Delegates”.

### § 5308. Substitute to sign certificates for salary and accounts

The Speaker is authorized to designate from time to time some one from among those appointed by him and appropriated for and employed in his office, whose duty it shall be under the direction of the Speaker to sign in his name and for him all certificates required by section 5307 of this title for salary and accounts for traveling expenses in going to and returning from Congress of Representatives and Delegates.

(Nov. 12, 1903, P. Res. No. 1, 33 Stat. 1.)

#### REFERENCES IN TEXT

Section 5307 of this title, referred to in text, was in the original “section forty-seven of the Revised Stat-

utes”, which initially enacted part of section 48 of this title and was subsequently reclassified as section 5307 of this title. See Codification notes under sections 48 and 5307 of this title.

#### CODIFICATION

Section was formerly classified to section 50 of this title prior to editorial reclassification and renumbering as this section.

### § 5309. Disbursement of compensation of House Members by Chief Administrative Officer

The moneys which have been, or may be, appropriated for the compensation and mileage of Members and Delegates shall be paid at the Treasury on requisitions drawn by the Chief Administrative Officer of the House of Representatives, and shall be kept, disbursed, and accounted for by him according to law, and he shall be a disbursing officer, but he shall not be entitled to any compensation additional to the salary fixed by law.

(Oct. 1, 1890, ch. 1256, §3, 26 Stat. 645; Pub. L. 104-186, title II, §204(25)(B), Aug. 20, 1996, 110 Stat. 1734.)

#### CODIFICATION

Section was formerly classified to section 80 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1996—Pub. L. 104-186 substituted “Chief Administrative Officer” for “Sergeant-at-Arms”.

### § 5310. Certificate of salary during recess

The Clerk of the House of Representatives is authorized and directed to sign, during the recess of Congress after the first session and until the first day of the second session, the certificates for the monthly compensation of Members and Delegates in Congress, which certificate shall be in the form in use on August 15, 1876, and shall have the like force and effect as is given to the certificate of the Speaker.

(Aug. 15, 1876, ch. 287, §1, 19 Stat. 145.)

#### CODIFICATION

Section was formerly classified to section 49 of this title prior to editorial reclassification and renumbering as this section.

## SUBCHAPTER II—EMPLOYEES

### § 5321. Employees of Members of House of Representatives

#### (a) In general

Under the Members’ Representational Allowance, each Member of the House of Representatives may employ not more than 18 permanent employees and a total of not more than 4 additional employees in the following categories:

- (1) Interns.
- (2) Part-time employees.
- (3) Shared employees.
- (4) Temporary employees.
- (5) Employees on leave without pay.

#### (b) Benefit exclusion

For purposes of this section, interns and temporary employees shall be excluded from the operation of the following provisions of title 5: