

mittee of the Senate but the Committee on Rules and Administration of the Senate may determine the preference, if any, to be given to such requests of the committees. The Legislative Counsel shall, from time to time, prescribe rules and regulations for the conduct of the work of the Office for the committees, subject to the approval of such Committee on Rules and Administration.

(Feb. 24, 1919, ch. 18, §1303(b), (d), 40 Stat. 1141; June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353; Aug. 2, 1946, ch. 753, title I, §§102, 121, 60 Stat. 814, 822.)

CODIFICATION

Provisions setting forth functions of office of legislative counsel with respect to the House of Representatives and the committees thereof were omitted in view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title. See section 281b of this title for functions of Office of Legislative Counsel of House of Representatives.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Library Committee of the Senate” and “Committee on House Administration” for “Library Committee of the House of Representatives”.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that the amendment made by that act is effective Jan. 2, 1947.

§ 276. Disbursement of appropriations

All appropriations for the Office of the Legislative Counsel shall be disbursed by the Secretary of the Senate.

(Feb. 24, 1919, ch. 18, §1303(c), (d), 40 Stat. 1142; June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353.)

CODIFICATION

As originally enacted, section provided for disbursement of one-half of appropriations for office of legislative counsel by Secretary of Senate and one-half by Clerk of House of Representatives. In view of nonapplicability of section to Speaker, employee, etc., of the House of Representatives pursuant to section 531 of Pub. L. 91-510, set out as a note under section 281 of this title, section has been revised to limit application to Office of the Legislative Counsel of the Senate. See section 282c of this title for provisions relating to expenditures by Legislative Counsel of the House of Representatives.

§ 276a. Expenditures

With the approval of the President Pro Tempore of the Senate, the Legislative Counsel of the Senate may make such expenditures as may be necessary or appropriate for the functioning of the Office of the Legislative Counsel of the Senate.

(Pub. L. 98-51, title I, §105, July 14, 1983, 97 Stat. 267.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of section 1303 of act Feb. 24, 1919 which comprises this subchapter.

§ 276b. Travel and related expenses

Funds expended by the Legislative Counsel of the Senate for travel and related expenses shall be subject to the same regulations and limitations (insofar as they are applicable) as those which the Senate Committee on Rules and Administration prescribes for application to travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(Pub. L. 98-51, title I, §106, July 14, 1983, 97 Stat. 267.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of section 1303 of act Feb. 24, 1919 which comprises this subchapter.

Section, as it relates to funds expended by the Senate Legal Counsel, is classified to section 288n of this title.

§ 277. Repealed. Pub. L. 93-191, § 13, Dec. 18, 1973, 87 Stat. 746

Section, act Feb. 24, 1919, ch. 18, §1303(d), as added June 2, 1924, ch. 234, title XI, §1101, 43 Stat. 353, provided for free transmission of official mail matter of legislative counsel. Official mail matter of Legislative Counsel of House of Representatives is covered by section 282d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART I—PURPOSE, POLICY, AND FUNCTION

§ 281. Establishment

There is established in the House of Representatives an office to be known as the Office of the Legislative Counsel, referred to hereinafter in this subchapter as the “Office”.

(Pub. L. 91-510, title V, §501, Oct. 26, 1970, 84 Stat. 1201.)

EFFECTIVE DATE

Subchapter effective Oct. 26, 1970, see section 601(5) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

TRANSFER OF FUNCTIONS; NONAPPLICABILITY OF SECTIONS 271 TO 277 TO THE HOUSE

Section 531 of Pub. L. 91-510 provided that: “Any individual who on the date of the enactment of this Act [Oct. 26, 1970] is serving under an appointment by the Speaker as Legislative Counsel of the House of Representatives shall continue as Legislative Counsel of the House of Representatives in accordance with this subtitle [this subchapter]. All personnel, positions, property, records, and unexpended balances of appropriations of or for that part of the Office of the Legislative Counsel established under section 1303 of the Revenue Act of 1918 (2 U.S.C., ch. 9) [sections 271 to 277 of this title] employed or held in or for the House of Representatives shall be transferred to the Office established under this subtitle; and, effective upon the date of enactment of this Act, the provisions of section 1303 of the Revenue Act of 1918 shall have no further applicability of any kind to the Speaker or to any commit-

tee, officer, employee, or property of the House of Representatives.”

§ 281a. Purpose and policy

The purpose of the Office shall be to advise and assist the House of Representatives, and its committees and Members, in the achievement of a clear, faithful, and coherent expression of legislative policies. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House of Representatives, and shall not advocate the adoption or rejection of any legislation except when duly requested by the Speaker or a committee to comment on a proposal directly affecting the functions of the Office. The Office shall maintain the attorney-client relationship with respect to all communications between it and any Member or committee of the House.

(Pub. L. 91-510, title V, §502, Oct. 26, 1970, 84 Stat. 1202.)

§ 281b. Functions

The functions of the Office shall be as follows:

(1) Upon request of the managers on the part of the House at any conference on the disagreeing votes of the two Houses, to advise and assist the managers on the part of the House in the course of the conference, and to assist the committee of conference in the preparation of the conference report and any accompanying explanatory statement.

(2) Upon request of any committee of the House, or any joint committee having authority to report legislation to the House, to advise and assist the committee in the consideration of any legislation before it, and to assist the committee in the preparation of drafts of any such legislation, amendments thereto, and reports thereon.

(3) Upon request of any Member having control of time during the consideration of any legislation by the House, to have in attendance on the floor of the House not more than two members of the staff of the Office (and, in his discretion, the Legislative Counsel) to advise and assist such Member and, to the extent feasible, any other Member, in the course of such consideration.

(4) Upon request of any Member, subject to such reasonable restrictions as the Legislative Counsel may impose with the approval of the Speaker on the proportion of the resources of the Office which may be devoted to the requests of any one Member, to prepare drafts of legislation and to furnish drafting advice with respect to drafts of legislation prepared by others.

(5) At the direction of the Speaker, to perform on behalf of the House of Representatives any legal services which are within the capabilities of the Office and the performance of which would not be inconsistent with the provisions of section 281a of this title or the preceding provisions of this section.

(Pub. L. 91-510, title V, §503, Oct. 26, 1970, 84 Stat. 1202.)

PART II—ADMINISTRATION

§ 282. Legislative Counsel

The management, supervision, and administration of the Office are vested in the Legislative Counsel, who shall be appointed by the Speaker of the House of Representatives without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 91-510, title V, §521, Oct. 26, 1970, 84 Stat. 1202.)

§ 282a. Staff; Deputy Legislative Counsel; delegation of functions

(a) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Legislative Counsel shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Legislative Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(b)(1) One of the attorneys appointed under subsection (a) of this section shall be designated by the Legislative Counsel as Deputy Legislative Counsel. During the absence or disability of the Legislative Counsel, or when the office is vacant, the Deputy Legislative Counsel shall perform the functions of the Legislative Counsel.

(2) The Legislative Counsel may delegate to the Deputy Legislative Counsel and to other employees appointed under subsection (a) of this section such of his functions as he considers necessary or appropriate.

(Pub. L. 91-510, title V, §522, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, §101, July 9, 1971, 85 Stat. 132.)

AMENDMENTS

1971—Subsec. (b). Pub. L. 92-51 substituted provisions for designation of one attorney as Deputy Legislative Counsel to perform functions of Legislative Counsel during his absence or disability or when office is vacant and for delegation of functions to Deputy Legislative Counsel and other employees for former provisions for appointment of full-time Office Administrator to exercise management, supervisory, and administrative functions of the Office as delegated to him by the Legislative Counsel.

§ 282b. Compensation

(a) The Legislative Counsel shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule of section 5314 of title 5.

(b) Members of the staff of the Office other than the Legislative Counsel shall be paid at per annum gross rates fixed by the Legislative Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of the rate of basic pay for one pay level above the maximum pay level for