

representatives shall have been elected and qualified. Such accounts and payments shall be allowed, audited, and settled in the General Accounting Office, and the checks signed in the name of the former Clerk of the House of Representatives shall be honored by the Treasurer of the United States, in the same manner as if such former Clerk had continued in office. The former Clerk or his estate shall not be subject to any legal liability or penalty for the official acts and defaults of such disbursing clerk acting in the name or in the place of such former Clerk under this section, but such disbursing clerk shall be responsible therefor.

(June 8, 1942, ch. 396, § 7, 56 Stat. 350; June 6, 1972, Pub. L. 92-310, title II, § 220(i), 86 Stat. 205.)

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which related to the sureties on the bond of the former clerk, and which required the disbursing clerk to give a bond.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

CROSS REFERENCES

Secretary of Senate, death, resignation, or disability, see section 64a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 75a-1 of this title.

§ 75a-1. Temporary appointments in case of vacancies or incapacity of House officers; compensation

(a) Temporary appointments in case of vacancy or incapacity in office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain of House

In case of a vacancy, from whatever cause, in the office of Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, of the House of Representatives, or in case of the incapacity or inability of the incumbent of any such office to perform the duties thereof, the Speaker of the House of Representatives may appoint a person to act as, and to exercise temporarily the duties of, Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, until a person is chosen by the House of Representatives and duly qualifies as Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain, as the case may be, or until the termination of the incapacity or inability of the incumbent.

(b) Duties of temporary appointees

Any person appointed pursuant to this section shall exercise all the duties, shall have all the powers, and shall be subject to all the requirements and limitations applicable with respect to one chosen by the House of Representatives to fill the office involved; but nothing in this section shall be held to amend, repeal, or otherwise affect section 75a of this title.

(c) Compensation of temporary appointee

Any person appointed pursuant to this section shall be paid the compensation which he would receive if he were chosen by the House of Representatives to fill the office involved, unless such person is concurrently serving in any office or position the compensation for which is paid from the funds of the United States, in which case he shall receive no compensation for services rendered pursuant to his appointment under this section, and his compensation for performing the duties of such office other than the one to which he is appointed pursuant to this section shall be in full discharge for all services he performs for the United States while serving in such dual capacity.

(Aug. 2, 1946, ch. 753, § 208, as added Aug. 5, 1953, ch. 330, 67 Stat. 387.)

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

ABOLITION OF OFFICE OF POSTMASTER

Office of Postmaster of House of Representatives abolished by section 2 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992.

§§ 75b to 75e. Omitted

CODIFICATION

Section 75b, act May 1, 1947, ch. 49, title I, 61 Stat. 58, accorded Clerk of House the same priority as executive agencies under the Surplus Property Act of 1944 (50 App. U.S.C. 1611-1648). The Surplus Property Act of 1944 was repealed by act June 30, 1949, ch. 288, title V, § 503, 63 Stat. 399, and the priorities thereunder expired Dec. 31, 1949.

Sections 75c to 75e were omitted from the Code for lack of general applicability.

Section 75c, based on H. Res. No. 449, Sept. 21, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to basic compensation of Assistant Tally Clerks in Office of Clerk of House.

Section 75d, based on H. Res. No. 331, June 7, 1961, enacted into permanent law by Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693, related to basic compensation of stationery and assistant stationery clerks.

Section 75e, based on H. Res. Nos. 225, 341, 402 and 773 of the 87th Congress, enacted into permanent law by Pub. L. 87-130, § 103, Aug. 10, 1961, 75 Stat. 334; Pub. L. 87-730, § 103, Oct. 2, 1962, 76 Stat. 693; Pub. L. 88-248, § 103, Dec. 30, 1963, 77 Stat. 817, related to compensation of certain laborers and clerks in offices of Clerk, Doorkeeper and Postmaster of House.

§ 76. Duties of Doorkeeper of House

The Doorkeeper of the House of Representatives shall perform the usual services pertaining to his office during the session of Congress, and shall in the recess, under the direction of the Clerk of the House of Representatives, take care of the apartments occupied by the House of Representatives.

(R.S. § 73.)

CODIFICATION

R.S. § 73 derived from act Apr. 12, 1792, ch. 20, 1 Stat. 252.

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished and functions transferred generally to Ser-

geant-at-Arms of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

CROSS REFERENCES

Senate doorkeeper, see section 63 of this title.

§ 76-1. Compensation of Doorkeeper

Until otherwise provided by law, the Doorkeeper of the House of Representatives may be compensated at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

Clause 6(c) of Rule XI of the Rules of the House of Representatives, referred to in text, was amended generally for the One Hundred First Congress and, as so amended, does not refer to specific pay levels.

CODIFICATION

Section is based on par. (3) of House Resolution No. 8, Ninety-fifth Congress, Jan. 4, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

A prior section 76-1, based on House Resolution No. 890, Ninety-second Congress, Oct. 4, 1972, as enacted into permanent law by Pub. L. 92-607, ch. V, §508, Oct. 31, 1972, 86 Stat. 1509, set forth the compensation of the Doorkeeper at equal to the annual rate of basic pay fixed for level IV of the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

Another prior section 76-1, based on House Resolution No. 909, Eighty-ninth Congress, Sept. 8, 1966, as enacted into permanent law by Pub. L. 89-697, ch. VI, §601, Oct. 27, 1966, 80 Stat. 1064, set forth the compensation of the Doorkeeper at equal to the gross per annum rate of compensation of the Clerk of House and Sergeant at Arms of House.

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished and functions transferred generally to Sergeant-at-Arms of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

INCREASES IN COMPENSATION

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967 (Pub. L. 90-206), Federal Pay Comparability Act of 1970 (Pub. L. 91-656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100-202), see sections 60a-2 and 60a-2a of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

§§ 76a, 76b. Omitted

CODIFICATION

Sections were omitted from the Code for lack of general applicability.

Section 76a, based on H. Res. No. 560, Mar. 27, 1962, enacted into permanent law by Pub. L. 87-730, §103, Oct. 2, 1962, 76 Stat. 693, related to position of a special assistant in Office of Doorkeeper.

Section 76b, based on H. Res. No. 603, §§1, 2, Apr. 16, 1962, enacted into permanent law by Pub. L. 88-248, §103, Dec. 30, 1963, 77 Stat. 817, related to compensation of telephone clerks in Office of Doorkeeper.

§ 77. Sergeant at Arms of House; additional compensation

The Sergeant at Arms of the House of Representatives shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith, otherwise than the salary prescribed by law.

(June 20, 1874, ch. 328, 18 Stat. 87; Mar. 3, 1875, ch. 129, 18 Stat. 346.)

§ 77a. Compensation of Sergeant at Arms

Until otherwise provided by law, the Sergeant at Arms of the House of Representatives may be compensated at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

Clause 6(c) of Rule XI of the Rules of the House of Representatives, referred to in text, was amended generally for the One Hundred First Congress and, as so amended, does not refer to specific pay levels.

CODIFICATION

Section is based on par. (3) of House Resolution No. 8, Ninety-fifth Congress, Jan. 4, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

A prior section 77a, based on House Resolution No. 890, Ninety-second Congress, Oct. 4, 1972, as enacted into permanent law by Pub. L. 92-607, ch. V, §508, Oct. 31, 1972, 86 Stat. 1509, set forth the compensation of the Sergeant at Arms at equal to the annual rate of basic pay fixed for level IV of the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

INCREASES IN COMPENSATION

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967 (Pub. L. 90-206), Federal Pay Comparability Act of 1970 (Pub. L. 91-656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100-202), see sections 60a-2 and 60a-2a of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

§ 78. Duties of Sergeant at Arms

It shall be the duty of the Sergeant at Arms of the House of Representatives to attend the House during its sittings, to maintain order under the direction of the Speaker, and, pending the election of a Speaker or Speaker pro tempore, under the direction of the Clerk, execute the commands of the House and all processes issued by authority thereof, directed to him by the Speaker, keep the accounts for the pay and mileage of Members and Delegates, and pay them as provided by law.

(Oct. 1, 1890, ch. 1256, §1, 26 Stat. 645.)

TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Reso-