

records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record; and such signed copies, or certified copies thereof, or of either of such records thereof, shall be admissible in evidence in any court of the United States, and shall be held conclusive proof of the fact that the signer duly took the oath of office in accordance with law.

(R.S. §30; Feb. 18, 1948, ch. 53, 62 Stat. 20.)

CODIFICATION

R.S. §30 derived from act June 1, 1789, ch. 1, §2, 1 Stat. 23.

The last paragraph of this section, which permitted Members and Delegates of the House of Representatives of the Eightieth Congress to subscribe and deliver two signed copies of the printed oath of office at any time before the expiration of the Eightieth Congress, was omitted.

AMENDMENTS

1948—Act Feb. 18, 1948, added last two paragraphs to provide a way by which any Member of House of Representatives can establish by record evidence the fact that the Member took the oath of office and so became a Member.

CROSS REFERENCES

Provisions respecting representation in Congress by a delegate from District of Columbia to House of Representatives, see section 25a of this title.

Provisions respecting representation in Congress by a Delegate from Guam and Virgin Islands to House of Representatives, see section 1711 et seq. of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 25a. Delegate to House of Representatives from District of Columbia

(a) The people of the District of Columbia shall be represented in the House of Representatives by a Delegate, to be known as the "Delegate to the House of Representatives from the District of Columbia", who shall be elected by the voters of the District of Columbia in accordance with the District of Columbia Election Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting, shall have all the privileges granted a Representative by section 6 of Article I of the Constitution, and shall be subject to the same restrictions and regulations as are imposed by law or rules on Representatives. The Delegate shall be elected to serve during each Congress.

(b) No individual may hold the office of Delegate to the House of Representatives from the District of Columbia unless on the date of his election—

- (1) he is a qualified elector (as that term is defined in section 2(2) of the District of Columbia Election Act) of the District of Columbia;
- (2) he is at least twenty-five years of age;
- (3) he holds no other paid public office; and
- (4) he has resided in the District of Columbia continuously since the beginning of the three-year period ending on such date.

He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(Pub. L. 91-405, title II, §202, Sept. 22, 1970, 84 Stat. 848.)

REFERENCES IN TEXT

The District of Columbia Election Act, referred to in subsecs. (a) and (b)(1), is act Aug. 12, 1955, ch. 862, 69 Stat. 699, as amended, which appears in subchapter I (§1-1301 et seq.) of chapter 13 of Title 1, Administration, of the District of Columbia Code. Section 2(2) of that Act appears in section 1-1302(2) of the District of Columbia Code.

CODIFICATION

Section is also set out in D.C. Code §1-401.

EFFECTIVE DATE

Section 206(b) of title II of Pub. L. 91-405 provided that: "This title and the amendments made by this title [enacting this section and section 25b of this title and amending section 2106 of Title 5, Government Organization and Employees, sections 4342, 6954, and 9342 of Title 10, Armed Forces, sections 201, 203, 204, 591, 594, and 595 of Title 18, Crimes and Criminal Procedure, and section 1973i of Title 42, The Public Health and Welfare] shall take effect on the date of its enactment [Sept. 22, 1970]."

§ 25b. Delegate from District of Columbia; applicability of certain Federal laws

The provisions of law which appear in—

- (1) section 25 (relating to oath of office),
- (2) section 31 (relating to compensation),
- (3) section 34 (relating to payment of compensation),
- (4) section 35 (relating to payment of compensation),
- (5) section 37 (relating to payment of compensation),
- (6) section 38a (relating to compensation),
- (7) section 39 (relating to deductions for absence),
- (8) section 40 (relating to deductions for withdrawal),
- (9) section 40a (relating to deductions for delinquent indebtedness),
- (10) section 41 (relating to prohibition on allowance for newspapers),
- (11) section 42c (relating to postage allowance),
- (12) section 46b (relating to stationery allowance),
- (13) section 46b-1 (relating to stationery allowance),
- (14) section 46b-2 (relating to stationery allowance),
- (15) section 46g (relating to telephone, telegraph, and radiotelegraph allowance),
- (16) section 47 (relating to payment of compensation),
- (17) section 48 (relating to payment of compensation),
- (18) section 49 (relating to payment of compensation),
- (19) section 50 (relating to payment of compensation),
- (20) section 54 (relating to provision of United States Code Annotated or Federal Code Annotated),
- (21) section 60g-1¹ (relating to clerk hire),
- (22) section 60g-2(a)¹ (relating to interns),
- (23) section 80 (relating to payment of compensation).

¹ See References in Text note below.

(24) section 81¹ (relating to payment of compensation),

(25) section 82¹ (relating to payment of compensation),

(26) section 92 (relating to clerk hire),

(27) section 92b (relating to pay of clerical assistants),

(28) section 112e (relating to electrical and mechanical office equipment),

(29) section 122¹ (relating to office space in the District of Columbia), and

(30) section 123b (relating to use of House Recording Studio),

of this title shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative. The Federal Corrupt Practices Act and the Federal Contested Election Act [2 U.S.C. 381 et seq.] shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative.

(Pub. L. 91-405, title II, §204(a), Sept. 22, 1970, 84 Stat. 852.)

REFERENCES IN TEXT

Section 60g-1 of this title, referred to in par. (21), was repealed by Pub. L. 91-510, title IV, §477(a)(2), Oct. 26, 1970, 84 Stat. 1195. See section 332 of this title.

Section 60g-2 of this title, referred to in par. (22), which was based on House Resolution No. 416, Eighty-ninth Congress, June 16, 1965, as enacted into permanent law by Pub. L. 89-545, §103, Aug. 27, 1966, 80 Stat. 369, was repealed by section 2 of House Resolution No. 420, Ninety-third Congress, Sept. 18, 1973, as enacted into permanent law by Pub. L. 93-245, ch. VI, §600, Jan. 3, 1974, 87 Stat. 1979. Present section 60g-2 of this title is based on section 1 of House Resolution No. 420 as enacted into permanent law by Pub. L. 93-245.

Section 81 of this title, referred to in par. (24), was repealed by Pub. L. 93-344, title V, §505(2), July 12, 1974, 88 Stat. 322.

Section 82 of this title, referred to in par. (25), was repealed by Pub. L. 92-310, title II, §220(d), (e), June 6, 1972, 86 Stat. 204.

Section 122 of this title, referred to in par. (29), was repealed by Pub. L. 95-391, title I, §111, Sept. 30, 1978, 92 Stat. 778. See section 122b et seq. of this title.

The Federal Corrupt Practices Act, referred to in text, is act Feb. 28, 1925, ch. 368, title III, §§301-317, 43 Stat. 1070, as amended, which was classified generally to chapter 8 (§241 et seq.) of this title, was repealed by acts June 25, 1948, ch. 645, §21, 62 Stat. 862, and Feb. 7, 1972, Pub. L. 92-225, title IV, §405, 86 Stat. 20, and is covered generally by chapter 14 (§431 et seq.) of this title. For further details and for complete classification of this Act to the Code prior to its repeal, see notes set out under section 241 et seq. of this title and Tables.

The Federal Contested Elections Act, referred to in text, is Pub. L. 91-138, Dec. 5, 1969, 83 Stat. 284, which is classified generally to chapter 12 (§381 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 381 of this title and Tables.

CODIFICATION

Section is also set out in D.C. Code §1-402.

EFFECTIVE DATE

Section effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as a note under section 25a of this title.

§ 26. Roll of Representatives-elect

Before the first meeting of each Congress the Clerk of the next preceding House of Representatives shall make a roll of the Representatives-elect, and place thereon the names of those persons, and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their States respectively, or the laws of the United States. In case of a vacancy in the office of Clerk of the House of Representatives, or of the absence or inability of the Clerk to discharge the duties imposed on him by law or custom relative to the preparation of the roll of Representatives or the organization of the House, those duties shall devolve on the Sergeant at Arms of the next preceding House of Representatives. In case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or of the absence or inability of both to act, the duties of the Clerk relative to the preparation of the roll of the House of Representatives or the organization of the House shall be performed by the Doorkeeper of the next preceding House of Representatives.

(R.S. §§31-33.)

CODIFICATION

R.S. §31 derived from acts Feb. 21, 1867, ch. 56, §1, 14 Stat. 397 and Mar. 3, 1863, ch. 108, 12 Stat. 804.

R.S. §§32 and 33 derived from act Feb. 21, 1867, ch. 56, §2, 14 Stat. 397.

R.S. §31 constitutes first sentence; R.S. §32 constitutes second sentence, and R.S. §33 constitutes the third sentence.

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 34 of this title.

§ 27. Change of place of meeting

Whenever Congress is about to convene, and from the prevalence of contagious sickness, or the existence of other circumstances, it would, in the opinion of the President, be hazardous to the lives or health of the members to meet at the seat of Government, the President is authorized, by proclamation, to convene Congress at such other place as he may judge proper.

(R.S. §34.)

CODIFICATION

R.S. §34 derived from act Apr. 3, 1794, ch. 17, 1 Stat. 353.

CROSS REFERENCES

Removal of public offices from seat of government because of prevalence of contagious or epidemic disease, see section 73 of Title 4, Flag and Seal, Seat of Government, and the States.

§ 28. Parliamentary precedents of House of Representatives

(a) Periodic compilation; other useful materials; index digest; date of completion

The Parliamentarian of the House of Representatives, at the beginning of the fifth fiscal