

### § 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 Sergeant-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 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.

#### LAW ENFORCEMENT AUTHORITY OF SERGEANT AT ARMS

Pub. L. 104-53, title III, § 313, Nov. 19, 1995, 109 Stat. 538, provided that:

“(a) The Sergeant at Arms of the House of Representatives shall have the same law enforcement authority, including the authority to carry firearms, as a member of the Capitol Police. The law enforcement authority under the preceding sentence shall be subject to the requirement that the Sergeant at Arms have the qualifications specified in subsection (b).

“(b) The qualifications referred to in subsection (a) are the following:

“(1) A minimum of five years of experience as a law enforcement officer before beginning service as the Sergeant at Arms.

“(2) Current certification in the use of firearms by the appropriate Federal law enforcement entity or an equivalent non-Federal entity.

“(3) Any other firearms qualification required for members of the Capitol Police.

“(c) The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this section.”

#### CROSS REFERENCES

Salary and traveling expenses of Resident Commissioner from Puerto Rico paid by Sergeant at Arms, see section 894 of Title 48, Territories and Insular Possessions.

Statement of disbursements, see section 84 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 84 of this title.

### § 79. Symbol of office of Sergeant at Arms

The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

(Oct. 1, 1890, ch. 1256, § 2, 26 Stat. 645.)

### § 80. Disbursement of compensation of House Members by Sergeant at Arms

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 Sergeant at Arms 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.)

#### 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 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.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 25b, 84 of this title.

### § 80a. Deductions by Sergeant at Arms in disbursement of gratuity appropriations

The Sergeant at Arms of the House is authorized, in the disbursement of gratuity appropriations, to make deductions of such amounts as may be due to or through his office or as may be due the House of Representatives.

(May 29, 1928, ch. 853, § 1, 45 Stat. 885.)

#### 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 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.

### § 81. Repealed. Pub. L. 93-344, title V, § 505(2), July 12, 1974, 88 Stat. 322

Section, act July 2, 1954, ch. 455, title I, 68 Stat. 400, directed that the fiscal year for the adjustment of the accounts of Sergeant at Arms of House for compensation and mileage of Members, Delegates, and Resident Commissioner extend from July 1 to June 30.

#### EFFECTIVE DATE OF REPEAL

Repeal effective July 12, 1974, see section 905 of Pub. L. 93-344, set out as an Effective Date note under section 621 of this title.

### § 81a. Audits and reports of fiscal records of Sergeant at Arms

In order to provide additional protection for the appropriated and trust funds of the Office of the Sergeant at Arms of the House of Representatives, the Comptroller General of the United States shall, not less frequently than once each six months, detail employees of the General Accounting Office to make an on-the-spot audit of all receipts and disbursements pertaining to the fiscal records of such Office of the Sergeant at Arms. The Comptroller General shall report to the Speaker and Sergeant at Arms of the House of Representatives the results of each such audit.

(July 26, 1949, ch. 366, 63 Stat. 482.)

#### CODIFICATION

Section was formerly classified to section 62b of this title.

#### TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms of House of Representatives transferred to Director of Non-legisla-