

(2) The Senators' Account shall be used for the funding of all items, activities, and expenses which, immediately prior to January 1, 1988, were funded under either (A) the Senate appropriation account for "Administrative, Clerical, and Legislative Assistance Allowance to Senators" (hereinafter in this section referred to as the "Senators' Clerk Hire Allowance Account") under the headings "SENATE" and "Salaries, Officers and Employees", or (B) that part of the account, within the contingent fund of the Senate, for "Miscellaneous Items" (hereinafter in this section referred to as the "Senators' Official Office Expense Account") which is available for allocation to Senatorial Official Office Expense Accounts. In addition, the Senators' Account shall be used for the funding of agency contributions payable with respect to compensation payable by such account, but moneys appropriated to such account for this purpose shall not be available for any other purpose. The account, which in clause (A) of the first sentence of this paragraph is identified as the "Senators' Clerk Hire Allowance Account" and the account, which in clause (B) of such sentence is identified as the "Senators' Official Office Expense Account" shall, when referred to in other law, rule, regulation, or order (whether referred to by such name or any other) shall on and after January 1, 1988, be deemed to refer to the "Senators' Official Personnel and Office Expense Account".

(3)(A) Effective on January 1, 1988, there shall be transferred to the Senators' Account from the Senators' Clerk Hire Allowance Account all funds therein which were available for expenditure or obligation during the fiscal year ending September 30, 1988, and from the Senators' Official Office Expense Account so much of the funds therein as was available for expenditure or obligation for the period commencing January 1, 1988, and ending September 30, 1988; except that the Senators' Official Office Expense Account shall remain in being solely for the purpose of being available to pay for any authorized item, activity, or expense, for which funds therein had been obligated, but not paid, prior to such transfer.

(B) Any of the funds transferred to the Senators' Account from the Senators' Clerk Hire Allowance Account pursuant to subparagraph (A) which, prior to such transfer, had been obligated, but not expended, for any authorized item, activity, or expense, shall be available to pay for such item, activity, or expense in like manner as if such transfer had not been made.

(4) On January 1, 1988, there shall be transferred to the Senators' Account, from the appropriation account for "Agency Contributions", under the headings "SENATE" and "Salaries, Officers and Employees", so much of the moneys in such account as was appropriated for the purpose of making agency contributions for administrative, clerical, and legislative assistance to Senators with respect to compensation payable for the period commencing January 1, 1988, and ending September 30, 1988; and the moneys so transferred shall be available only for the payment of such agency contributions with respect to such compensation.

(5) Vouchers shall not be required for the disbursement, from the Senators' Account, of salaries of employees in the office of a Senator.

(Pub. L. 100-137, §1(a), Oct. 21, 1987, 101 Stat. 814.)

#### REFERENCES IN TEXT

This section, referred to in pars. (1) and (2), means section 1 of Pub. L. 100-137, Oct. 21, 1987, 101 Stat. 814, which enacted this section, amended sections 58 and 61-1 of this title, and enacted provisions set out as notes under sections 58 and 61-1 of this title.

#### **§ 58c-1. Transfer of funds by Members of Senate from Senate Official Mail Costs Account to Senator's Official Personnel and Office Expense Account; writing respecting transfer to Financial Clerk of Senate; available amount and uses**

Each Member of the Senate may, subject to the approval of the Committee on Rules and Administration of the Senate, during the fiscal year ending September 30, 1991, and each fiscal year thereafter, at his or her election, transfer a sum not to exceed \$100,000 of the amount allocated to such Member by the Senate Committee on Rules and Administration from the Senate Official Mail Costs account, within the contingent fund of the Senate, to the Senator's Official Personnel and Office Expense Account, within the contingent fund of the Senate. Any transfer of funds under authority of the preceding sentence shall be made at such time or times as such Member shall specify in writing to the Financial Clerk of the Senate. Any funds so transferred by the Member shall be available for the expenditure by such Member in a like manner and for the same purposes as are other moneys which are available for expenditure by such Member from the Senators' Official Personnel and Office Expense Account.

(Pub. L. 101-520, title I, §12, Nov. 5, 1990, 104 Stat. 2260; Pub. L. 102-392, title III, §313, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 103-69, title I, §3, Aug. 11, 1993, 107 Stat. 695.)

#### CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1991, which is title I of the Legislative Branch Appropriations Act, 1991.

#### AMENDMENTS

1993—Pub. L. 103-69 struck out "the Committee on Appropriations of the Senate and" after "subject to the approval of".

1992—Pub. L. 102-392 substituted "\$100,000 of the amount allocated to such Member" for "the lesser of \$100,000 or 50 percent of the amount allocated to such Member for mass mail".

#### **§ 59. Home State office space for Senators; lease of office space**

##### **(a) Procurement by Sergeant at Arms of Senate in places designated by Senator; places subject to use; lease of office space**

(1) The Sergeant at Arms of the Senate shall secure for each Senator office space suitable for the Senator's official use in places designated by the Senator in the State he represents. That space shall be secured in post offices or other Federal buildings at such places. In the event suitable office space is not available in post of-

fices or other Federal buildings, the Sergeant at Arms shall secure other office space in those places.

(2) The Senator may lease, on behalf of the United States Senate, the office space so secured for a term not extending beyond the term of office which he is serving on the first day of such lease, except that, in the case of a Senator whose term of office is expiring and who has been elected for another term, such lease may extend until the end of the term for which he has been so elected. Each such lease shall contain a provision permitting its cancellation upon sixty days written notice by the Sergeant at Arms and Doorkeeper of the Senate, in the event of the death or resignation of the Senator. A copy of each such lease shall be furnished to the Sergeant at Arms. Nothing in this paragraph shall be construed to require the Sergeant at Arms to enter into or execute any lease for or on behalf of a Senator.

**(b) Maximum amount of aggregate square feet for each Senator**

The aggregate square feet of office space secured for Senator shall not at any time exceed—

- (1) 4,800 square feet if the population of his State is less than 2,000,000;
- (2) 5,000 square feet if such population is 2,000,000 but less than 3,000,000;
- (3) 5,200 square feet if such population is 3,000,000 but less than 4,000,000;
- (4) 5,400 square feet if such population is 4,000,000 but less than 5,000,000;
- (5) 5,800 square feet if such population is 5,000,000 but less than 7,000,000;
- (6) 6,200 square feet if such population is 7,000,000 but less than 9,000,000;
- (7) 6,400 square feet if such population is 9,000,000 but less than 10,000,000;
- (8) 6,600 square feet if such population is 10,000,000 but less than 11,000,000;
- (9) 6,800 square feet if such population is 11,000,000 but less than 12,000,000;
- (10) 7,000 square feet if such population is 12,000,000 but less than 13,000,000;
- (11) 7,400 square feet if such population is 13,000,000 but less than 15,000,000;
- (12) 7,800 square feet if such population is 15,000,000 but less than 17,000,000; or
- (13) 8,000 square feet if such population is 17,000,000 or more.

**(c) Maximum annual rental rate; maximum aggregate amount for acquisition of furniture, equipment, and other office furnishings**

(1) The maximum annual rate that may be paid for the rental of an office secured for a Senator not in a post office or other Federal building shall not exceed the highest rate per square foot charged Federal agencies on the first day of the lease of such office by the Administrator of General Services, based upon a 100 percent building quality rating, for office space located in the place in which the Senator's office is located, multiplied by the number of square feet contained in that office used by the Senator and his employees to perform their duties.

(2) The aggregate amount that may be paid for the acquisition of furniture, equipment, and other office furnishings heretofore provided by the Administrator of General Services for one or

more offices secured for the Senator is \$30,000 if the aggregate square feet of office space is not in excess of 4,800 square feet. Such amount is increased by \$734 for each authorized additional incremental increase in office space of 200 square feet.

**(d) Senators subject to maximum amount of aggregate square feet and maximum annual rental rate**

(1) Notwithstanding subsection (b) of this section, the aggregate square feet of office space secured for a Senator who is a Senator on July 1, 1974, shall not at any time exceed, as long as he continuously serves as a Senator, the greater of—

(A) the applicable square footage limitation of such subsection; or

(B) the total square footage of those offices that the Senator has on such date and which are continuously maintained in the same buildings in which such offices were located on such date.

(2) The provisions of subsection (c) of this section do not apply to any office that a Senator has on July 1, 1974, not in a post office or other Federal building, as long as—

(A) that Senator continuously serves as a Senator; and

(B) that office is maintained in the same building in which it was located on such date and contains not more than the same number of square feet it contained in such date.

**(e) Omitted**

**(f) Mobile office**

(1) Subject to the provisions of paragraphs (2), (3), (4), and (5), a Senator may lease one mobile office for use only in the State he represents and the contingent fund of the Senate is available for the rental payments (including by way of reimbursement) made under such lease together with the actual nonpersonnel cost of operating such mobile office. The term of any such lease shall not exceed 3 years. A copy of each such lease shall be furnished to the Sergeant at Arms of the Senate.

(2) The maximum aggregate annual rental payments and operating costs (except furniture, equipment, and furnishings) that may be paid to a Senator under paragraph (1) shall not at any time exceed an amount determined by multiplying (A) the highest applicable rate per square foot charged Federal agencies by the Administrator of General Services in the State which that Senator represents, based upon a 100 percent building quality rating, by (B) the maximum aggregate square feet of office space to which that Senator is entitled under subsection (b) of this section reduced by the number of square feet contained in offices secured for that Senator under subsection (a) of this section and used by that Senator and his employees to perform their duties.

(3) No payment shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator unless the following provisions are included in its lease:

(A) Liability insurance in the amount of \$1,000,000 shall be provided with respect to the operation and use of such mobile office.

(B) Either of the following inscriptions shall be clearly visible on three sides of such mobile office in letters not less than three inches high:

“UNITED STATES GOVERNMENT VEHICLE

“FOR OFFICIAL USE ONLY”;

OR

“MOBILE OFFICE OF SENATOR \_\_\_\_\_

“FOR OFFICIAL USE ONLY”.

(4) No payment shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator which are attributable to or incurred during the 60-day period ending with the date of any primary or general election (whether regular, special, or runoff) in which that Senator is a candidate for public office, unless his candidacy in such election is uncontested.

(5) Payment under paragraph (1) shall be made on a monthly basis and shall be paid upon vouchers approved by the Sergeant at Arms of the Senate.

**(g) Effective date**

This section is effective on and after July 1, 1974.

(Pub. L. 93-371, § 3, Aug. 13, 1974, 88 Stat. 428; Pub. L. 94-32, title I, § 4, June 12, 1975, 89 Stat. 183; Pub. L. 94-59, title I, §§ 106(a), 107, July 25, 1975, 89 Stat. 276; Pub. L. 95-26, title I, § 105, May 4, 1977, 91 Stat. 83; Pub. L. 95-94, title I, § 112(d), Aug. 5, 1977, 91 Stat. 664; Pub. L. 96-304, title I, § 109, July 8, 1980, 94 Stat. 890; Pub. L. 99-88, title I, § 194, Aug. 15, 1985, 99 Stat. 349; Pub. L. 102-27, title II, Apr. 10, 1991, 105 Stat. 144; Pub. L. 102-90, title I, § 7(b), Aug. 14, 1991, 105 Stat. 451; Pub. L. 104-197, title I, § 3, Sept. 16, 1996, 110 Stat. 2397.)

CODIFICATION

Section is comprised of section 3 of Pub. L. 93-371. Subsec. (e) of section 3 of Pub. L. 93-371 amended section 58 of this title.

AMENDMENTS

1996—Subsec. (f)(1). Pub. L. 104-197 substituted “3 years” for “one year” in second sentence.

1991—Subsec. (f)(1). Pub. L. 102-90, § 7(b)(1), substituted “the contingent fund of the Senate is available for the rental payments (including by way of reimbursement)” for “shall be reimbursed from the contingent fund of the Senate for the rental payments”.

Subsec. (f)(2). Pub. L. 102-90, § 7(b)(2), substituted “paid” for “reimbursed”.

Subsec. (f)(3). Pub. L. 102-90, § 7(b)(3), substituted “payment” for “reimbursement”.

Subsec. (f)(3)(B). Pub. L. 102-27 added subpar. (B) and struck out former subpar. (B) which read as follows: “The following inscription shall be clearly visible on three sides of such mobile office in letters not less than four inches high:

“Mobile Office of Senator (name of Senator)

“FOR OFFICIAL OFFICE USE ONLY”.

Subsec. (f)(4). Pub. L. 102-90, § 7(b)(4), substituted “payment” for “reimbursement”.

Subsec. (f)(5). Pub. L. 102-90, § 7(b)(5), substituted “Payment” for “Reimbursement”.

1985—Subsec. (c)(2). Pub. L. 99-88 substituted “\$30,000” for “\$22,550” and “\$734” for “\$550”.

1980—Subsec. (a)(2). Pub. L. 96-304, § 109(1), substituted provision limiting term of a lease of office space to a term not extending beyond the term of office which Senator is serving on first day of such lease, except in case of a Senator whose term is expiring and who has been elected to another term, to end of term for which he has been so elected, for provision limiting term of a lease of office space to a term of not to exceed one year and inserted provision requiring each lease to contain a provision permitting cancellation upon sixty days written notification by Sergeant at Arms and Doorkeeper of Senate, in event of death or resignation of Senator.

Subsec. (c). Pub. L. 96-304, § 109(2), substituted “shall not exceed the highest rate per square foot charged Federal agencies on the first day of the lease of such office” for “shall not at any time exceed the applicable rate per square foot charged Federal agencies”.

1977—Subsec. (c)(2). Pub. L. 95-94 substituted “\$22,550” for “\$20,500” and “\$550” for “\$500”.

Subsec. (f)(5). Pub. L. 95-26 substituted “monthly” for “quarterly”.

1975—Subsec. (a). Pub. L. 94-59, § 107, designated existing provisions as par. (1) and added par. (2).

Subsec. (c). Pub. L. 94-59, § 106(a), designated existing provisions as par. (1) and added par. (2).

Subsecs. (f), (g). Pub. L. 94-32 added subsec. (f) and redesignated former subsec. (f) as (g).

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-90 effective Oct. 1, 1991, see section 7(c) of Pub. L. 102-90, set out as a note under section 58 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Section 109 of Pub. L. 96-304 provided that the amendment made by that section is effective Jan. 1, 1980.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-94 effective Aug. 5, 1977, see section 112(f) of Pub. L. 95-94, set out as a note under section 58 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 106(b) of Pub. L. 94-59 provided that: “The amendment made by subsection (a) of this section [amending this section] is effective on and after July 1, 1975.”

**§ 59a. Repealed. Pub. L. 101-163, title I, § 103(b), Nov. 21, 1989, 103 Stat. 1050**

Section, Pub. L. 93-462, § 1, Oct. 20, 1974, 88 Stat. 1388, related to purchase of office equipment or furnishings by House Members.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1989, see section 103(c) of Pub. L. 101-163, set out as an Effective Date of 1989 Amendment note under section 117e of this title.

**§ 59b. Purchase of office equipment or furnishings by Senators**

**(a) Authorization; conditions**

Notwithstanding any other provision of law, a United States Senator may purchase, upon leaving office or otherwise ceasing to be a Senator (except by expulsion), any item or items of office equipment or office furnishings provided by the General Services Administration and then currently located and in use in an office of such Senator in the State then represented by such Senator.

**(b) Request by Senator and arrangement for purchase by Sergeant at Arms of Senate; regulations governing purchase; price**

At the request of any United States Senator, the Sergeant at Arms of the Senate shall ar-