

L. 93-288, May 22, 1974, 88 Stat. 143, as amended, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

§ 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 Repealed.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 arrange for and make the purchase of equipment and furnishings under subsection (a) of this section on behalf of such Senator. Each such purchase shall be—

(1) in accordance with regulations which shall be prescribed by the Committee on Rules and Administration of the Senate, after consultation with the General Services Administration; and

(2) at a price equal to the acquisition cost to the Federal Government of the equipment or furnishings so purchased, less allowance for depreciation determined under such regulations, but in no instance less than the fair market value of such items.

(c) Remittance of amounts received to General Services Administration; disposition

Amounts received by the Federal Government from the sale of items of office equipment or office furnishings under this section shall be remitted to the General Services Administration and credited to the appropriate account or accounts.

(Pub. L. 93-462, §2, Oct. 20, 1974, 88 Stat. 1388.)

§ 59c. Transferred

CODIFICATION

Section, Pub. L. 95-94, title I, §103, Aug. 5, 1977, 91 Stat. 660; Pub. L. 97-51, §118, Oct. 1, 1981, 95 Stat. 964, which related to disposal of used or surplus furniture and equipment by Sergeant at Arms and Doorkeeper of Senate, and procedure with respect to deposit of receipts from sale of such furniture and equipment, was transferred to section 117b of this title.

§ 59d. Transportation of official records and papers to House Member's district

(a) Payment of reasonable expenses from applicable accounts of House; rules and regulations

Effective August 16, 1978, notwithstanding any provision of law and until otherwise provided by law, the applicable accounts of the House shall be available to pay the reasonable expenses of sending or transporting the official records and papers of any Member of the House of Representatives from the District of Columbia to any location designated by such Member in the district represented by the Member.

The Chief Administrative Officer of the House of Representatives is authorized and directed to provide for the most economical means of sending or transporting such documents to insure the orderly and timely delivery to the specified location. The Committee on House Oversight shall have the authority to issue rules and regulations to carry out the provisions of this section.

(b) "Member of the House of Representatives" and "official records and papers" defined

As used in this section—

(1) the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(2) the term "official records and papers" means books, records, papers, and official files which could be sent as franked mail.

(Pub. L. 98-51, title I, §111(1), July 14, 1983, 97 Stat. 269; Pub. L. 104-186, title II, §203(21), Aug. 20, 1996, 110 Stat. 1728.)

CODIFICATION

In subsec. (a), "August 16, 1978" substituted for "upon the date of adoption of this resolution" meaning the date of adoption of House Resolution No. 1297, which was agreed to Aug. 16, 1978.

Section is based on House Resolution No. 1297, Ninety-fifth Congress, Aug. 16, 1978, which was enacted into permanent law by Pub. L. 98-51.

Sections 1 and 2 of House Resolution No. 1297 were redesignated subsecs. (a) and (b) of this section, respectively, for purposes of codification.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-186, §203(21)(A)-(C), substituted "applicable accounts" for "contingent fund" in first par. and "Chief Administrative Officer of the House of Representatives" for "Clerk of the House of Representatives" and "House Oversight" for "House Administration" in second par.

Subsec. (b)(1). Pub. L. 104-186, §203(21)(D), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "the term 'Member' means a Representative, a Resident Commissioner in the House, and a Delegate to the House; and".

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 59e. Official mail of persons entitled to use congressional frank

(a) Congressional committee regulations for expenditure of appropriations for official mail

Except as otherwise provided in this section, funds appropriated by this Act or any other Act

for expenses of official mail of any person entitled to use the congressional frank may be expended only in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate or the Committee on House Oversight of the House of Representatives, as applicable. Such regulations shall require—

(1) individual accountability for use of official mail by each person entitled to use the congressional frank;

(2)(A) with respect to the House of Representatives, allocation of funds for official mail to be made to each such person with respect to each session of Congress (with no transfer to any other session or to any other such person); and

(B) with respect to the Senate, allocation of funds for official mail to be made to each such person with respect to each session of Congress (with no transfer to any other session, other than transfers from the first session of a Congress to the second session of that Congress, or to any other such person); and

(3) with respect to the House of Representatives, that in addition to any other report or information made available to the public (through the House Commission on Congressional Mailing Standards or otherwise) regarding the use of the frank, the Chief Administrative Officer of the House of Representatives shall include in the quarterly report of receipts and expenditures submitted to the House of Representatives a statement (based solely on data provided for that purpose by the Committee on House Oversight of the House of Representatives and the House Commission on Congressional Mailing Standards) of costs incurred for official mail by each person entitled to use the congressional frank.

(b) Postmaster General functions

The Postmaster General, in consultation with the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives—

(1) shall monitor use of official mail by each person entitled to use the congressional frank;

(2) at least monthly, shall notify any person with an allocation under subsection (a)(2)(A) of this section as to the amount that has been used and any person with an allocation under subsection (a)(2)(B) of this section as to the percentage of the allocation that has been used; and

(3) may not carry or deliver official mail the cost of which is in excess of an allocation under subsection (a)(2) of this section.

(c) Source of funds for expenses of official mail

Expenses of official mail of the Senate and the House of Representatives may be paid only from funds specifically appropriated for that purpose and funds so appropriated—

(1) may be supplemented by other appropriated funds only if such supplementation is provided for by law or by regulation under subsection (a) of this section; and

(2) may not be supplemented by funds from any other source, public or private.

(d) Maintenance or use of unofficial office accounts or defrayal of official expenses from certain funds prohibited

No Senator or Member of the House of Representatives may maintain or use, directly or indirectly, an unofficial office account or defray official expenses from—

(1) funds received from a political committee or derived from a contribution or expenditure (as such terms are defined in section 431 of this title);

(2) funds received as reimbursement for expenses incurred by the Senator or Member in connection with personal services provided by the Senator or Member to the person making the reimbursement; or

(3) any other funds that are not specifically appropriated for official expenses.

(e) Official Mail Allowance in House of Representatives

(1) The use of funds of the House of Representatives which are made available for official mail of Members, officers, and employees of the House of Representatives who are persons entitled to use the congressional frank shall be governed by regulations promulgated—

(A) by the Committee on House Oversight of the House of Representatives, with respect to allocation and expenditures relating to official mail (except as provided in subparagraph (B)); and

(B) by the House Commission on Congressional Mailing Standards, with respect to matters under section 3210(a)(6)(D) of title 39.

(2) Funds used for official mail—

(A) with respect to a Member of the House of Representatives, shall be available, in a session of Congress, in a total amount, as determined under paragraph (1)(A), of not more than the product of (i) 3 times the single-piece rate applicable to first class mail, and (ii) the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the congressional district, as such addresses are described in section 3210(d)(7)(B) of title 39; and

(B) with respect to any other person entitled to use the congressional frank in the House of Representatives (including any Member of the House of Representatives who receives an allocation under subsection (a)(2) of this section with respect to duties as an elected officer of, or holder of another position in, the House of Representatives), shall be available, in a session of Congress, in a total amount determined under paragraph (1)(A).

(f) Mass mailing; submission of samples or description of proposed mail matter; advisory opinion

A Member of the House of Representatives shall, before making any mass mailing, submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether such proposed mailing is in compliance with applicable provisions of law, rule, or regulation.

(g) “Member of the House of Representatives” and “person entitled to use the congressional frank” defined

As used in subsections (a) through (f) of this section—

(1) the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(2) the term “person entitled to use the congressional frank” means a Senator, Member of the House of Representatives, or other person authorized to use the frank under section 3210(b) of title 39.

(h) Omitted

(i) Effective date

This section and the amendments made by this section shall apply with respect to sessions of Congress beginning with the first session of the One Hundred Second Congress, except that, with respect to the Senate, subsection (d) of this section shall apply beginning on May 1, 1992, and the funds referred to in paragraph (3) of such subsection shall not include personal funds of a Senator or Member of the House of Representatives.

(Pub. L. 101-520, title III, §311, Nov. 5, 1990, 104 Stat. 2278; Pub. L. 102-229, title II, §211, Dec. 12, 1991, 105 Stat. 1718; Pub. L. 104-186, title II, §203(22), Aug. 20, 1996, 110 Stat. 1728; Pub. L. 105-275, title I, §104, Oct. 21, 1998, 112 Stat. 2439; Pub. L. 106-19, §1(a), Apr. 8, 1999, 113 Stat. 29; Pub. L. 106-57, title I, §§102, 103(a)(1)-(3), (4)(B), Sept. 29, 1999, 113 Stat. 415.)

REFERENCES IN TEXT

The amendments made by this section, referred to in subsec. (i), means the amendments made by section 311(h) of Pub. L. 101-520, which amended section 58 of this title and sections 3210 and 3216 of Title 39, Postal Service, and amended provisions set out as notes under sections 3210 and 3216 of Title 39.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

Subsec. (h) of this section made the amendments specified in the References in Text note above.

AMENDMENTS

1999—Subsec. (a)(3). Pub. L. 106-57, §103(a)(4)(B), substituted “costs incurred for official mail by” for “costs charged against the Official Mail Allowance for”.

Subsec. (b)(2). Pub. L. 106-19 substituted “any person with an allocation under subsection (a)(2)(A) as to the amount that has been used and any person with an allocation under subsection (a)(2)(B)” for “any person with an allocation under subsection (a)(2)”.

Subsec. (e)(1). Pub. L. 106-57, §103(a)(1)(A), in introductory provisions, substituted “The use of funds of the House of Representatives which are made available for official mail of Members, officers, and employees of the House of Representatives who are persons entitled to use the congressional frank shall be governed by regulations promulgated—” for “There is established in the House of Representatives an Official Mail Allowance for Members, officers, and employees of the House of Representatives who are persons entitled to use the congressional frank. Regulations for use of the Official Mail Allowance shall be prescribed—”.

Subsec. (e)(1)(A). Pub. L. 106-57, §103(a)(1)(B), substituted “official mail (except as provided in subparagraph (B))” for “the Allowance”.

Subsec. (e)(2). Pub. L. 106-57, §103(a)(2)(A), substituted “Funds used for official mail—” for “The Official Mail Allowance—” in introductory provisions.

Pub. L. 106-57, §102, made technical correction to directory language of Pub. L. 105-275, §104(a). See 1998 Amendment note below.

Subsec. (e)(2)(A) to (C). Pub. L. 106-57, §103(a)(2)(B), (C), redesignated subpars. (B) and (C) as (A) and (B), respectively, and struck out former subpar. (A) which read as follows: “shall be available for postage for franked mail sent at a first class, third class, or fourth class rate;”.

Subsec. (e)(3). Pub. L. 106-57, §103(a)(3), struck out par. (3) which read as follows:

“(3)(A) Subject to subparagraph (B), each Member of the House of Representatives may transfer amounts from the Members’ Representational Allowance of the Member to the Official Mail Allowance of the Member. “(B) The total amount a Member may so transfer with respect to a session of Congress may not exceed \$25,000.”

1998—Subsec. (e)(2). Pub. L. 105-275, §104(a), as amended by Pub. L. 106-57, §102, inserted “and” at end of subpar. (B), substituted a period for “; and” at end of subpar. (C), and struck out subpar. (D) which read as follows: “shall not be available for payment of any non-postage fee or charge, including any fee or charge for express mail, express mail drop shipment, certified mail, registered mail, return receipt, address correction, or postal insurance.”

Subsec. (e)(4). Pub. L. 105-275, §104(b), struck out par. (4) which read as follows: “The Members’ Representational Allowance shall be available to a Member of the House of Representatives for the payment of nonpostage fees and charges referred to in paragraph (2)(D) and for postage for mail for official business sent outside the United States.”

1996—Subsec. (a). Pub. L. 104-186, §203(22)(B)(i), substituted “House Oversight” for “House Administration” in introductory provisions.

Subsec. (a)(3). Pub. L. 104-186, §203(22)(A), (B)(ii), substituted “Chief Administrative Officer of the House of Representatives” for “Clerk of the House of Representatives” and “House Oversight” for “House Administration”.

Subsec. (b). Pub. L. 104-186, §203(22)(B)(iii), substituted “House Oversight” for “House Administration” in introductory provisions.

Subsec. (e)(1)(A). Pub. L. 104-186, §203(22)(B)(iv), substituted “House Oversight” for “House Administration”.

Subsec. (e)(2)(A). Pub. L. 104-186, §203(22)(B)(v), struck out “only” after “available”.

Subsec. (e)(3)(A). Pub. L. 104-186, §203(22)(B)(vi), substituted “Members’ Representational Allowance” for “Official Expenses Allowance and the Clerk Hire Allowance”.

Subsec. (e)(4). Pub. L. 104-186, §203(22)(B)(vii), substituted “Members’ Representational Allowance” for “Official Expenses Allowance”.

1991—Subsec. (i). Pub. L. 102-229 substituted “beginning on May 1, 1992,” for “with respect to sessions of Congress beginning with the second session of the One Hundred Second Congress.”

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1999 AMENDMENTS

Amendment by section 103(a)(1)-(3), (4)(B) of Pub. L. 106-57 applicable with respect to the first session of the One Hundred Sixth Congress and each succeeding session of Congress, see section 103(c) of Pub. L. 106-57, set out as a note under section 57 of this title.

Pub. L. 106-19, §1(b), Apr. 8, 1999, 113 Stat. 29, provided that: “The amendment made by subsection (a) [amend-

ing this section] shall apply with respect to January 1999 and each succeeding month.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 57 of this title.

§ 59f. Mass mailings by Senate offices; quarterly statements; publication of summary tabulations

Two weeks after the close of each calendar quarter, or as soon as practicable thereafter, the Sergeant at Arms and Doorkeeper of the Senate shall send to each Senate office a statement of the cost of postage and paper and of the other operating expenses incurred as a result of mass mailings processed for such Senate office during such quarter. The statement shall separately identify the cost of postage and paper and other costs, and shall distinguish the costs attributable to newsletters and all other mass mailings. The statement shall also include the total cost per capita in the State. A compilation of all such statements shall be sent to the Senate Committee on Rules and Administration. A summary tabulation of such information shall be published quarterly in the Congressional Record and included in the semiannual report of the Secretary of the Senate. Such summary tabulation shall set forth for each Senate office the following information: the Senate office’s name, the total number of pieces of mass mail mailed during the quarter, the total cost of such mail, and, in the case of Senators, the cost of such mail divided by the total population of the State from which the Senator was elected, and the total number of pieces of mass mail divided by the total population of the State from which the Senator was elected, and in the case of each Senator, the allocation made to such Senator from the appropriation for official mail expenses.

(Pub. L. 101–520, title III, §318, Nov. 5, 1990, 104 Stat. 2283; Pub. L. 103–283, title I, §3(b), July 22, 1994, 108 Stat. 1427.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

AMENDMENTS

1994—Pub. L. 103–283 inserted before period at end “, and in the case of each Senator, the allocation made to such Senator from the appropriation for official mail expenses”.

EFFECTIVE DATE OF 1994 AMENDMENT

Section 3(c) of Pub. L. 103–283 provided that: “The amendments made by this section [amending this section and section 104a of this title] shall be effective with respect to—

“(1) reports and statements covering periods beginning on and after October 1, 1994; and

“(2) appropriations made and obligations incurred on and after such date.”

§ 59g. Mass mailing of information by Senators under frank; quarterly registration with Secretary of Senate

In fiscal year 1991 and thereafter, when a Senator disseminates information under the frank by a mass mailing (as defined in section 3210(a)(6)(E) of title 39), the Senator shall reg-

ister quarterly with the Secretary of the Senate such mass mailings. Such registration shall be made by filing with the Secretary a copy of the matter mailed and providing, on a form supplied by the Secretary, a description of the group or groups of persons to whom the mass mailing was mailed and the number of pieces mailed.

(Pub. L. 101–520, title III, §320, Nov. 5, 1990, 104 Stat. 2285.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

§ 59h. Mass mailing sent by House Members

(a) Notice that mailing is at taxpayer expense

Each mass mailing sent by a Member of the House of Representatives shall bear in a prominent place on its face, or on the envelope or outside cover or wrapper in which the mail matter is sent, the following notice: “**THIS MAILING WAS PREPARED, PUBLISHED, AND MAILED AT TAXPAYER EXPENSE.**”, or a notice to the same effect in words which may be prescribed under subsection (c) of this section. The notice shall be printed in a type size not smaller than 7-point.

(b) Publication of each Member’s total expense and amount

(1) There shall be published in the itemized report of disbursements of the House of Representatives as required by law, a summary tabulation setting forth, for the office of each Member of the House of Representatives, the total number of pieces of mass mail mailed during the period involved and the total cost of those mass mailings.

(2) Each such tabulation shall also include—

(A) the total cost (as referred to in paragraph (1)) divided by the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the Congressional district from which the Member was elected (as such addresses are described in section 3210(d)(7)(B) of title 39); and

(B) the total number of pieces of mass mail (as referred to in paragraph (1)) divided by the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the Congressional district from which the Member was elected (as such addresses are described in section 3210(d)(7)(B) of title 39).

(c) Regulations

The Committee on House Oversight shall prescribe such rules and regulations and shall take such other action as the Committee considers necessary and proper for Members to conform to the provisions of this subsection and applicable rules and regulations.

(d) Definitions

For purposes of this section—

(1) the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(2) the term “mass mailing” has the meaning given such term by section 3210(a)(6)(E) of title 39.