

AMENDMENTS

1996—Pub. L. 104-186 substituted “and Chief Administrative Officer” for “Doorkeeper, and Postmaster”.

§ 89a. Certification of indebtedness of employees of House; withholding of amount

Whenever an employee of the House of Representatives becomes indebted to the House of Representatives and fails to pay the indebtedness, the chairman of the committee or the elected officer of the House of Representatives that has jurisdiction over the activity under which the indebtedness arises may certify to the Chief Administrative Officer of the House of Representatives the amount of the indebtedness. The Chief Administrative Officer of the House of Representatives is authorized to withhold the amount so certified from any amount which is disbursed by him and which is due to, or on behalf of, such employee. Whenever an amount is withheld under this section, the appropriate account shall be credited in an amount equal to the amount so withheld. As used in this section, the term “employee of the House of Representatives” means any person in the legislative branch of the Government whose salary, wages, or other compensation is disbursed by the Chief Administrative Officer of the House of Representatives.

(Pub. L. 85-492, July 2, 1958, 72 Stat. 293; Pub. L. 104-186, title II, §204(42), Aug. 20, 1996, 110 Stat. 1736.)

AMENDMENTS

1996—Pub. L. 104-186 substituted “and fails to pay the indebtedness, the chairman of the committee or the elected officer of the House of Representatives that has jurisdiction over the activity under which the indebtedness arises may certify to the Chief Administrative Officer of the House of Representatives the amount of the indebtedness” for “, or to the trust fund account in the office of the Sergeant at Arms of the House of Representatives, and such employee fails to pay such indebtedness, the chairman of the committee, or the elected officer, of the House of Representatives having jurisdiction of the activity under which such indebtedness arose, is authorized to certify to the Clerk of the House of Representatives the amount of such indebtedness” in first sentence and “Chief Administrative Officer” for “Clerk” in second and last sentences.

§ 90, 91. Repealed. Pub. L. 104-186, title II, § 204(33), Aug. 20, 1996, 110 Stat. 1734

Section 90, act Mar. 3, 1901, ch. 830, §1, 31 Stat. 968, related to removal from office of employees of House for violation of sections 85 to 87 and 89 of this title.

Section 91, acts Mar. 3, 1901, ch. 830, §1, 31 Stat. 968; Aug. 2, 1946, ch. 753, §121, 60 Stat. 822, related to investigations of violations of sections 85 to 87, 89, and 90 of this title.

§ 92. Employees of Members of House of Representatives

(a) In general

Under the Members’ Representational Allowance, each Member of the House of Representatives may employ not more than 18 permanent employees and a total of not more than 4 additional employees in the following categories:

- (1) Interns.
- (2) Part-time employees.
- (3) Shared employees.

- (4) Temporary employees.
- (5) Employees on leave without pay.

(b) Benefit exclusion

For purposes of this section, interns and temporary employees shall be excluded from the operation of the following provisions of title 5:

- (1) Chapter 84 (relating to the Federal Employees’ Retirement System).
- (2) Chapter 87 (relating to life insurance).
- (3) Chapter 89 (relating to health insurance).

(c) Definitions

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;

(2) the term “intern” means, with respect to a Member of the House of Representatives, an individual who serves in the office of the Member for not more than 120 days in a 12-month period and whose service is primarily for the educational experience of the individual;

(3) the term “part-time employee” means, with respect to a Member of the House of Representatives, an individual who is employed by the Member and whose normally assigned work schedule is not more than the equivalent of 15 full working days per month;

(4) the term “temporary employee” means, with respect to a Member of the House of Representatives, an individual who is employed for a specific purpose or task and who is employed for not more than 90 days in a 12-month period, except that the term of such employment may be extended with the written approval of the Committee on House Oversight; and

(5) the term “shared employee” means an employee who is paid by more than one employing authority of the House of Representatives.

(d) Regulations

The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

(Pub. L. 104-186, title I, §104, Aug. 20, 1996, 110 Stat. 1720; Pub. L. 105-55, title I, §104(a), Oct. 7, 1997, 111 Stat. 1183; Pub. L. 106-57, title I, §103(b), Sept. 29, 1999, 113 Stat. 416.)

CODIFICATION

Section is comprised of section 104 of Pub. L. 104-186. Subsec. (e)(1) of section 104 of Pub. L. 104-186 repealed former section 92 of this title. Subsec. (e)(2) and (3) of section 104 of Pub. L. 104-186 repealed provisions formerly set out as notes below.

PRIOR PROVISIONS

A prior section 92, acts Jan. 25, 1923, ch. 43, 42 Stat. 1217; July 25, 1939, ch. 352, §1, 53 Stat. 1080; Aug. 5, 1955, ch. 568, §11(b), 69 Stat. 509; Aug. 3, 1956, ch. 938, §1(b), 70 Stat. 990, related to payment of appropriations for clerk hire for Members of House of Representatives, Delegates, and Resident Commissioners, prior to repeal by Pub. L. 104-186, title I, §104(e)(1), Aug. 20, 1996, 110 Stat. 1721.

AMENDMENTS

1999—Pub. L. 106-57, §103(b)(2), struck out “Clerk hire” before “Employees” in section catchline.