

99-410, Aug. 28, 1986, 100 Stat. 924, as amended, which is classified principally to subchapter I-G (§1973ff et seq.) of chapter 20 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 1971 of Title 42 and Tables.

The Voting Rights Act of 1965, referred to in subsec. (b)(7)(A), is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, as amended, which is classified generally to subchapters I-A (§1973 et seq.), I-B (§1973aa et seq.), and I-C (§1973bb et seq.) of chapter 20 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 1971 of Title 42 and Tables.

The Voting Accessibility for the Elderly and Handicapped Act, referred to in subsec. (b)(7)(B), is Pub. L. 98-435, Sept. 28, 1984, 98 Stat. 1678, as amended, which is classified generally to subchapter I-F (§1973ee et seq.) of chapter 20 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 1971 of Title 42 and Tables.

The National Voter Registration Act of 1993, referred to in subsec. (b)(7)(D), is Pub. L. 103-31, May 20, 1993, 107 Stat. 77, as amended, which is classified principally to subchapter I-H (§1973gg et seq.) of chapter 20 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 1971 of Title 42 and Tables.

The Americans with Disabilities Act of 1990, referred to in subsec. (b)(7)(E), is Pub. L. 101-336, July 26, 1990, 104 Stat. 327, as amended, which is classified principally to chapter 126 (§12101 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 12101 of Title 42 and Tables.

The Rehabilitation Act of 1973, referred to in subsec. (b)(7)(F), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355, as amended, which is classified generally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

The Help America Vote Act of 2002, referred to in subsec. (b)(7)(G), is Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1666, which is classified principally to chapter 146 (§15301 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 15301 of Title 42 and Tables.

CODIFICATION

R.S. §26 derived from act Feb. 2, 1872, ch. 11, §4, 17 Stat. 28.

AMENDMENTS

2005—Pub. L. 109-55 designated existing provisions as subsec. (a), inserted heading, substituted “Except as provided in subsection (b) of this section, the time” for “The time”, and added subsec. (b).

CONSTITUTIONAL PROVISIONS

Vacancies in the House of Representatives, see Const. Art. I, §2, cl. 4.

§9. Voting for Representatives

All votes for Representatives in Congress must be by written or printed ballot, or voting machine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect.

(R.S. §27; Feb. 14, 1899, ch. 154, 30 Stat. 836.)

CODIFICATION

R.S. §27 derived from acts Feb. 28, 1871, ch. 99, §19, 16 Stat. 440, and May 30, 1872, ch. 239, 17 Stat. 192.

CHAPTER 2—ORGANIZATION OF CONGRESS

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CHANGE OF NAME AND TRANSFER OF FUNCTIONS OF COMMITTEES AND OFFICERS OF HOUSE OF REPRESENTATIVES

Pub. L. 104-14, June 3, 1995, 109 Stat. 186, provided that:

“SECTION 1. REFERENCES IN LAW TO COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

“(a) REFERENCES TO COMMITTEES WITH NEW NAMES.—Except as provided in subsection (c), any reference in any provision of law enacted before January 4, 1995, to—

“(1) the Committee on Armed Services of the House of Representatives shall be treated as referring to the Committee on National Security of the House of Representatives [Committee on National Security of House of Representatives changed to Committee on Armed Services of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999];

“(2) the Committee on Banking, Finance and Urban Affairs of the House of Representatives shall be treated as referring to the Committee on Banking and Financial Services of the House of Representatives [Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally

transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001];

“(3) the Committee on Education and Labor of the House of Representatives shall be treated as referring to the Committee on Economic and Educational Opportunities of the House of Representatives [Committee on Economic and Educational Opportunities of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Fifth Congress, Jan. 7, 1997; Committee on Education and the Workforce of House of Representatives changed to Committee on Education and Labor of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007; Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011];

“(4) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to the Committee on Commerce of the House of Representatives [Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001];

“(5) the Committee on Foreign Affairs of the House of Representatives shall be treated as referring to the Committee on International Relations of the House of Representatives [Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007];

“(6) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives [Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999; Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007];

“(7) the Committee on House Administration of the House of Representatives shall be treated as referring to the Committee on House Oversight of the House of Representatives [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];

“(8) the Committee on Natural Resources of the House of Representatives shall be treated as referring to the Committee on Resources of the House of Representatives [Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007];

“(9) the Committee on Public Works and Transportation of the House of Representatives shall be treated as referring to the Committee on Transportation and Infrastructure of the House of Representatives; and

“(10) the Committee on Science, Space, and Technology of the House of Representatives shall be treated as referring to the Committee on Science of the House of Representatives [Committee on Science of House of Representatives changed to Committee on

Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007; Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011].

“(b) REFERENCES TO ABOLISHED COMMITTEES.—Any reference in any provision of law enacted before January 4, 1995, to—

“(1) the Committee on District of Columbia of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight [now Committee on Oversight and Government Reform] of the House of Representatives;

“(2) the Committee on Post Office and Civil Service of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight [now Committee on Oversight and Government Reform] of the House of Representatives, except that a reference with respect to the House Commission on Congressional Mailings [probably should be “Mailing”] Standards (the “Franking Commission”) shall be treated as referring to the Committee on House Oversight [now Committee on House Administration] of the House of Representatives; and

“(3) the Committee on Merchant Marine and Fisheries of the House of Representatives shall be treated as referring to—

“(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

“(B) the Committee on National Security [now Committee on Armed Services] of the House of Representatives, in the case of a provision of law relating to interoceanic canals, the Merchant Marine Academy and State Maritime Academies, or national security aspects of merchant marine;

“(C) the Committee on Resources [now Committee on Natural Resources] of the House of Representatives, in the case of a provision of law relating to fisheries, wildlife, international fishing agreements, marine affairs (including coastal zone management) except for measures relating to oil and other pollution of navigable waters, or oceanography;

“(D) the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives, in the case of a provision of law relating to marine research; and

“(E) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to a matter other than a matter described in any of subparagraphs (A) through (D).

“(c) REFERENCES TO COMMITTEES WITH JURISDICTION CHANGES.—Any reference in any provision of law enacted before January 4, 1995, to—

“(1) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to—

“(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

“(B) the Committee on Banking and Financial Services [now Committee on Financial Services] of the House of Representatives, in the case of a provision of law relating to bank capital markets activities generally or to depository institution securities activities generally; and

“(C) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to railroads, railway labor, or railroad retirement and unemployment (except revenue measures related thereto); and

“(2) the Committee on Government Operations of the House of Representatives shall be treated as re-

ferring to the Committee on the Budget of the House of Representatives in the case of a provision of law relating to the establishment, extension, and enforcement of special controls over the Federal budget.

“SEC. 2. REFERENCES IN LAW TO OFFICERS OF THE HOUSE OF REPRESENTATIVES.

“Any reference in any provision of law enacted before January 4, 1995, to a function, duty, or authority—

“(1) of the Clerk of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight [now Committee on House Administration] of the House of Representatives;

“(2) of the Doorkeeper of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight [now Committee on House Administration] of the House of Representatives;

“(3) of the Postmaster of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight [now Committee on House Administration] of the House of Representatives; and

“(4) of the Director of Non-legislative and Financial Services of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight [now Committee on House Administration] of the House of Representatives.”

§ 21. Oath of Senators

The oath of office shall be administered by the President of the Senate to each Senator who shall be elected, previous to his taking his seat.

(R.S. § 28.)

CODIFICATION

R.S. § 28 derived from act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 22. Oath of President of Senate

When a President of the Senate has not taken the oath of office, it shall be administered to him by any Member of the Senate.

(R.S. § 29.)

CODIFICATION

R.S. § 29 derived from act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 23. Presiding officer of Senate may administer oaths

The presiding officer, for the time being, of the Senate of the United States, shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, officer of the Senate, witness, or other person, in respect to any matter within the jurisdiction of the Senate.

(Apr. 18, 1876, ch. 66, § 1, 19 Stat. 34.)

§ 24. Secretary of Senate or assistant secretary may administer oaths

The Secretary of the Senate, and the assistant secretary thereof, shall, respectively, have

power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any officer of the Senate, and to any witness produced before it.

(Apr. 18, 1876, ch. 66, § 2, 19 Stat. 34; Pub. L. 92-51, July 9, 1971, 85 Stat. 125.)

CHANGE OF NAME

Assistant secretary of the Senate deemed successor in references to chief clerk of the Senate in all laws, rules, resolutions, and orders, effective July 1, 1971, under provisions of Pub. L. 92-51, July 9, 1971, 85 Stat. 125.

§ 25. Oath of Speaker, Members, and Delegates

At the first session of Congress after every general election of Representatives, the oath of office shall be administered by any Member of the House of Representatives to the Speaker; and by the Speaker to all the Members and Delegates present, and to the Clerk, previous to entering on any other business; and to the Members and Delegates who afterward appear, previous to their taking their seats.

The Clerk of the House of Representatives of the Eightieth and each succeeding Congress shall cause the oath of office to be printed, furnishing two copies to each Member and Delegate who has taken the oath of office in accordance with law, which shall be subscribed in person by the Member or Delegate, who shall thereupon deliver them to the Clerk, one to be filed in the 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.

§ 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 is not classified to the Code.

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. Repealed. Pub. L. 104-186, title II, § 202(1), Aug. 20, 1996, 110 Stat. 1724

Section, Pub. L. 91-405, title II, §204(a), Sept. 22, 1970, 84 Stat. 852, related to application of certain Federal laws to Delegate to House of Representatives from District of Columbia.

§ 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.

(R.S. §§31-33; Pub. L. 104-186, title II, §202(2), Aug. 20, 1996, 110 Stat. 1724.)

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 constituted the third sentence, prior to repeal by Pub. L. 104-186. See 1996 Amendment note below.

AMENDMENTS

1996—Pub. L. 104-186 struck out third sentence which read as follows: "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." See Codification note above.

§ 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.

§ 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 year following the completion and publication of the parliamentary precedents of the House authorized by the Legislative Branch Appropriation Act, 1966 (79 Stat. 270; Public Law 89-90), and at the beginning of each fifth fiscal year thereafter, shall commence the compilation and preparation for printing of the parliamentary precedents of the House of Representatives, together with such other materials as may be useful in connection therewith, and an index digest of such precedents and other materials. Each such compilation and preparation for printing of the parliamentary precedents of the House shall be completed by the close of the fiscal year immediately following the fiscal year in which such work is commenced.

(b) Form, number, and distribution of compilation

As so compiled and prepared, such precedents and other materials and index digest shall be printed on pages of such size, and in such type and format, as the Parliamentarian may determine and shall be printed in such numbers and for such distribution as may be provided by law enacted prior to printing.

(c) Appointment and compensation of personnel; utilization of services of personnel of Federal agencies

For the purpose of carrying out each such compilation and preparation, the Parliamentarian may—

(1) subject to the approval of the Speaker, appoint (as employees of the House of Representatives) clerical and other personnel and fix their respective rates of pay; and

(2) utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, §331, Oct. 26, 1970, 84 Stat. 1186.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, referred to in subsec. (a), is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For complete classification of this Act to the Code, see Tables.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

§ 28a. Compilation of the Precedents of House of Representatives; date of completion; biennial update; printing and availability of copies

The Speaker is authorized and directed to complete the Compilation of the Precedents of the House of Representatives by January 1, 1977, and prepare an updated compilation of such precedents every two years thereafter. Copies of the Compilation of Precedents shall be printed in sufficient quantity to be available to every Member and the standing committees of the House of Representatives.

(Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 208 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Pub. L. 93-554 provided that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective Jan. 2, 1975.

§ 28b. Printing and binding as public document of Precedents of House of Representatives; number of sets authorized

(a) There shall be printed and bound as a public document two thousand sets of the Precedents of the House of Representatives compiled and prepared by Lewis Deschler (hereinafter in sections 28b to 28e of this title referred to as the "Precedents") in accordance with the provisions of the Legislative Branch Appropriation Act, 1966 (Public Law 89-90; 79 Stat. 265).

(b) The number of sets authorized to be printed and bound by or pursuant to sections 28b to 28e of this title shall be in lieu of the usual number of copies for binding and distribution required by section 701 of title 44.

(Pub. L. 94-551, §1, Oct. 18, 1976, 90 Stat. 2537.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, referred to in text, is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For complete classification of this Act to the Code, see Tables.

§ 28c. Distribution of Precedents by Public Printer

(a) Delivery to Members of Ninety-fifth Congress; marking of volumes

The Public Printer shall deliver one set of the Precedents to each Senator or Representative in, or Delegate or Resident Commissioner to, the Ninety-fifth Congress. The name of the Member to whom the set is delivered shall be legibly stamped on the front cover of each volume of the set.

(b) Members of Congress following Ninety-fifth Congress not already having sets of Precedents; necessity of written request to Superintendent of Documents for set

Each Senator or Representative in, or Delegate or Resident Commissioner to, each Congress following the Ninety-fifth Congress who has not theretofore received a set of the Precedents shall be entitled to receive one set of the Precedents, upon transmitting a written request for such set to the Superintendent of Documents.

(c) Additional distribution of sets

The Public Printer shall make the following distribution of sets of the Precedents:

(1) to the office of the Vice President, to the office of the speaker of the House of Representatives, and to the office of the President pro tempore of the Senate, each, five sets;

(2) to the office of the majority leader of the House of Representatives and to the office of the minority leader of the House of Representatives, each, three sets;

(3) to the Parliamentarian of the House of Representatives, sixty sets;

(4) to the Parliamentarian of the Senate, five sets;

(5) to the Clerk of the House of Representatives and to the Sergeant at Arms of the House of Representatives, each¹ two sets;

(6) to the Secretary of the Senate and to the Sergeant at Arms of the Senate, each, two sets;

(7) to the superintendent of the House document room, two sets;

(8) to the superintendent of the Senate document room, two sets;

(9) to the Library of Congress, for international exchange and for official use in Washington, District of Columbia, one hundred and fifty sets;

(10) to the National Archives, three sets;

(11) to the government of the District of Columbia, twelve sets;

(12) to the Smithsonian Institute, two sets;

(13) to the library of each legislative branch of each State, territory, and possession of the United States, one set; and

(14) to the Superintendent of Documents, eight hundred and sixteen sets for distribution to the depository library system.

(Pub. L. 94-551, §2, Oct. 18, 1976, 90 Stat. 2537; Pub. L. 104-186, title II, §202(3), Aug. 20, 1996, 110 Stat. 1724.)

¹ So in original. Probably should be followed by a comma.

AMENDMENTS

1996—Subsec. (c)(2). Pub. L. 104-186, §202(3)(A), substituted “Representatives, each” for “Representatives, each”.

Subsec. (c)(5). Pub. L. 104-186, §202(3)(B), substituted “and to the Sergeant at Arms of the House of Representatives, each two sets” for “, to the Sergeant at Arms of the House of Representatives, and to the Doorkeeper of the House of Representatives, each, two sets”.

§ 28d. Distribution of Precedents by Public Printer for official use; particular distribution; marking and ownership of sets

(a) The Public Printer shall make the following distribution of sets of the Precedents;

(1) to each standing or joint committee of the Congress which is in existence on October 18, 1976, or which is established after October 18, 1976, four sets;

(2) to the office of the Legislative Counsel of the House of Representatives, five sets;

(3) to the office of the Legislative Counsel of the Senate, five sets;

(4) to the library of the House of Representatives, four sets;

(5) to the library of the Senate, two sets;

(6) to the library of the Supreme Court of the United States, nine sets;

(7) to the office of the Official Reporter of Debates of the House of Representatives, three sets; and

(8) to the office of the Official Reporter of Debates of the Senate, three sets.

(b) Each set of Precedents distributed by the Public Printer under subsection (a) of this section shall be for official use. Each such set shall be legibly stamped on the front cover “Property of the United States Government.” Each such set, upon delivery, shall become and remain the property of the United States, and may not be removed from the building in which is located the designated library or office, as the case may be.

(Pub. L. 94-551, §3, Oct. 18, 1976, 90 Stat. 2538.)

§ 28e. Distribution of Precedents by Joint Committee on Printing of surplus sets; additional printing, etc., of sets under authority of Joint Committee

(a) Any set of the Precedents printed and bound pursuant to subsection (a) of section 28b of this title, not needed to carry out the distributions required by sections 28b to 28e of this title, shall be distributed under the direction of the Joint Committee on Printing.

(b) The Joint Committee on Printing may from time to time authorize and direct that additional sets of the Precedents, be printed, bound, and distributed in such manner as the Joint Committee determines will best carry out the purposes of sections 28b to 28e of this title.

(Pub. L. 94-551, §4, Oct. 18, 1976, 90 Stat. 2538.)

§ 29. Condensed and simplified versions of House precedents; other useful materials in summary form; form and distribution to Members of Congress, Resident Commissioner from Puerto Rico, and others; appointment and compensation of personnel; utilization of services of personnel of Federal agencies

The Parliamentarian of the House of Representatives shall prepare, compile, and maintain on a current basis and in cumulative form, for each Congress commencing with the Ninety-third Congress a condensed and, insofar as practicable, up-to-date version of all of the parliamentary precedents of the House of Representatives which have current use and application in the House, together with informative text prepared by the Parliamentarian and other useful related material in summary form. The Parliamentarian shall have such matter printed for each Congress on pages of such size and in such type and format as he considers advisable to promote the usefulness of such matter to the Members of the House and shall provide a printed copy thereof to each Member in each Congress, including the Resident Commissioner from Puerto Rico, and may make such other distribution of such printed copies as he considers advisable. In carrying out this section, the Parliamentarian may appoint and fix the pay of personnel and utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, §332, Oct. 26, 1970, 84 Stat. 1186.)

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

§ 29a. Early organization of House of Representatives

(a) Caucus or conference for incumbent Members reelected to and Members-elect of ensuing Congress; time and procedure for calling

(1) The majority leader or minority leader of the House of Representatives after consultation with the Speaker may at any time during any even-numbered year call a caucus or conference of all incumbent Members of his or her political party who have been reelected to the ensuing Congress and all other Members-elect of such party, for the purpose of taking all steps necessary to achieve the prompt organization of the Members and Members-elect of such party for the ensuing Congress.

(2) If the majority leader or minority leader calls an organizational caucus or conference under paragraph (1), he or she shall file with the Clerk of the House a written notice designating the date upon which the caucus or conference is to convene. As soon as possible after the election of Members to the ensuing Congress, the Clerk shall furnish each Member-elect of the party involved with appropriate written notification of the caucus or conference.

(3) If a vacancy occurs in the office of majority leader or minority leader during any even-numbered year (and has not been filled), the chair-

man of the caucus or conference of the party involved for the current Congress may call an organizational caucus or conference under paragraph (1) by filing written notice thereof as provided by paragraph (2).

(b) Payment and reimbursement for travel and per diem expenses for Members attending caucus or conference; exceptions; regulations governing payments and reimbursements; reimbursement vouchers

(1)(A) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under subsection (a) of this section, and each incumbent Member reelected to the ensuing Congress who attends any such caucus or conference convening after the adjournment sine die of the Congress in the year involved, shall be paid for one round trip between his or her place of residence in the district which he or she represents and Washington, District of Columbia, for the purpose of attending such caucus or conference. Payment shall be made through the issuance of a transportation request form to each such Member-elect or incumbent Member by the Finance Office of the House before such caucus or conference.

(B) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under subsection (a) of this section shall in addition be reimbursed on a per diem or other basis for expenses incurred in connection with his or her attendance at such caucus or conference.

(2) Payments and reimbursements to Members-elect under paragraph (1) shall be made as provided (with respect to Members) in the regulations prescribed by the Committee on House Oversight with respect to travel and other expenses of committees and Members. Reimbursements shall be paid on special voucher forms prescribed by the Committee on House Oversight.

(c) Availability of applicable accounts of House

The applicable accounts of the House of Representatives are made available to carry out the purposes of this section.

(d) Orientation programs for new Members

With the approval of the majority leader (in the case of a Member or Member-elect of the majority party) or the minority leader (in the case of a Member or Member-elect of the minority party), subsections (b) and (c) of this section shall apply with respect to the attendance of a Member or Member-elect at a program conducted by the Committee on House Administration for the orientation of new members¹ in the same manner as such provisions apply to the attendance of the Member or Member-elect at the organizational caucus or conference.

(Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777; Pub. L. 104-186, title II, §202(4), Aug. 20, 1996, 110 Stat. 1725; Pub. L. 108-447, div. G, title I, §107(a), (b)(1), (c)(1), Dec. 8, 2004, 118 Stat. 3176.)

¹ So in original. Probably should be capitalized.

CODIFICATION

Section is based on section 202 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

AMENDMENTS

2004—Subsec. (a)(1). Pub. L. 108-447, §107(a), substituted “conference of all” for “conference, to begin on or after the first day of December and conclude on or before the twentieth day of December in such year and to be attended by all”.

Subsec. (b)(1)(B). Pub. L. 108-447, §107(b)(1), substituted a period for “for a period not to exceed the shorter of the following—

“(i) the period beginning with the day before the designated date upon which such caucus or conference is to convene and ending with the day after the date of the final adjournment of such caucus or conference; or

“(ii) fourteen days.”

Subsec. (d). Pub. L. 108-447, §107(c)(1), added subsec. (d).

1996—Subsec. (b)(2). Pub. L. 104-186, §202(4)(A), substituted “House Oversight” for “House Administration” in two places.

Subsec. (c). Pub. L. 104-186, §202(4)(B), substituted “applicable accounts of the House of Representatives are” for “contingent fund of the House is”.

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 2004 AMENDMENT

Pub. L. 108-447, div. G, title I, §107(d), Dec. 8, 2004, 118 Stat. 3177, provided that: “The amendments made by this section [amending this section and section 43b-2 of this title] shall apply with respect to the One Hundred Tenth Congress and each succeeding Congress.”

EFFECTIVE DATE

Pub. L. 93-554 provided that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective Jan. 2, 1975.

§§ 29b, 29c. Omitted

CODIFICATION

Section 29b, based on section 204 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law, effective Jan. 2, 1975, by Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777, established a Commission on Information and Facilities in House of Representatives to be composed of nine members of the House appointed by Speaker, required Speaker to appoint an Advisory Council to assist Commission in carrying out its functions, required Commission to conduct study of informational problems, facilities and space, and House legislative counsel requirements, provided for the scope of study of informational problems, and required Commission to make an annual progress report to Speaker, to complete study of House legislative counsel requirements by Jan. 1, 1976, and to submit a final report by Jan. 2, 1977.

Section 29c, based on clause 10, rule I, of the Rules of the House of Representatives as in effect before July 17, 1984, relating to the Office for the Bicentennial for the House of Representatives, established by House Resolution No. 621, Ninety-seventh Congress, Dec. 17, 1982, which was enacted into permanent law by Pub. L. 98-367, title I, §102, July 17, 1984, 98 Stat. 479, established in House of Representatives an Office for the Bicentennial of the House of Representatives to coordinate planning of commemoration of two-hundredth anniversary of House of Representatives and to be staffed by a professional historian appointed by Speaker with-

out regard to political affiliation and solely on basis of fitness to perform duties of the position and to serve at pleasure of Speaker, and provided that the Office cease to exist not later than Sept. 30, 1989, unless otherwise provided by law or resolution. Office of the Historian of the House of Representatives was established by clause 10, rule I, of the Rules of the House of Representatives, as added on Jan. 3, 1989 (H. Res. 5, 101st Congress).

§ 29d. Committee on Standards of Official Conduct of House of Representatives

(a) Omitted

(b) Committee composition

The respective party caucus or conference of the House of Representatives shall each nominate to the House of Representatives at the beginning of each Congress 7 members to serve on the Committee on Standards of Official Conduct.

(c) Investigative subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

(1) for the establishment of a 4 or 6-member investigative subcommittee (with equal representation from the majority and minority parties) whenever the committee votes to undertake any investigation;

(2) that the senior majority and minority members on an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee; and

(3) that the chairman and ranking minority member of the full committee may only serve as non-voting, ex officio members on an investigative subcommittee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any investigative subcommittee.

(d) Adjudicatory subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

(1) that upon the completion of an investigation, an investigative subcommittee shall report its findings and recommendations to the committee;

(2) that, if an investigative subcommittee by majority vote of its membership adopts a statement of alleged violation, the remaining members of the committee shall comprise an adjudicatory subcommittee to hold a disciplinary hearing on the violation alleged in the statement;

(3) that any statement of alleged violation and any written response thereto shall be made public at the first meeting or hearing on the matter which is open to the public after the respondent has been given full opportunity to respond to the statement in accordance with committee rules, but, if no public hearing or meeting is held on the matter, the statement of alleged violation and any written response thereto shall be included in the committee's final report to the House of Representatives as required by clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives;

(4) that a quorum for an adjudicatory subcommittee for the purpose of taking testi-

mony and conducting any business shall consist of a majority of the membership of the subcommittee plus one; and

(5) that an adjudicatory subcommittee shall determine, after receiving evidence, whether the counts in the statement have been proved and shall report its findings to the committee.

Clause 5(d) of rule XI¹ of the Rules of the House of Representatives shall not apply to any adjudicatory subcommittee.

(e) to (h) Omitted

(i) Advice and education

(1) The Committee on Standards of Official Conduct shall establish within the committee an Office on Advice and Education (hereinafter in this subsection referred to as the "Office") under the supervision of the chairman.

(2) The Office shall be headed by a director who shall be appointed by the chairman, in consultation with the ranking minority member, and shall be comprised of such staff as the chairman determines is necessary to carry out the responsibilities of the Office.

(3) The primary responsibilities of the Office shall include:

(A) Providing information and guidance to Members, officers and employees of the House regarding any laws, rules, regulations, and other standards of conduct applicable to such individuals in their official capacities, and any interpretations and advisory opinions of the committee.

(B) Submitting to the chairman and ranking minority member of the committee any written request from any such Member, officer or employee for an interpretation of applicable laws, rules, regulations, or other standards of conduct, together with any recommendations thereon.

(C) Recommending to the committee for its consideration formal advisory opinions of general applicability.

(D) Developing and carrying out, subject to the approval of the chairman, periodic educational briefings for Members, officers and employees of the House on those laws, rules, regulations, or other standards of conduct applicable to them.

(4) No information provided to the Committee on Standards of Official Conduct by a Member, officer or employee of the House of Representatives when seeking advice regarding prospective conduct of such Member, officer or employee may be used as the basis for initiating an investigation under clause 4(e)(1)(B) of rule X¹ of the Rules of the House of Representatives, if such Member, officer or employee acts in accordance with the written advice of the committee.

(j) Effective date

This section shall take effect immediately before noon January 3, 1991, except that subsections (g), (h), and (i) shall take effect on January 1, 1990.

(Pub. L. 101-194, title VIII, §803, Nov. 30, 1989, 103 Stat. 1774.)

REFERENCES IN TEXT

The Rules of the House of Representatives for the One Hundred Sixth Congress were adopted and amended

¹ See References in Text note below.

generally by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Provisions formerly appearing in clause 5(d) of rule XI, referred to in subsecs. (c) and (d), are now contained in clause 6(d) of rule X. Provisions formerly appearing in clause 4(e)(1)(B) of rule X, referred to in subsecs. (d)(3) and (i)(4), are now contained in clause 3(a)(2) of rule XI.

CODIFICATION

Section is comprised of section 803 of Pub. L. 101-194. Subsecs. (a) and (e) to (h) of section 803 amended the Rules of the House of Representatives which are not classified to the Code.

CHANGE OF NAME

Committee on Standards of Official Conduct of House of Representatives changed to Committee on Ethics of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

ACCEPTANCE OF GIFTS; AMENDMENTS TO ADVISORY OPINIONS

Section 801(e) of Pub. L. 101-194 provided that: “The Committee on Standards of Official Conduct of the House of Representatives shall amend its advisory opinions relating to the acceptance of gifts (1) to prohibit lodging received as personal hospitality in excess of 30 days in any calendar year from any individual unless a written waiver is granted by the committee and (2) to exempt gifts of food and beverages consumed not in connection with gifts of lodging from coverage under clause 4 of rule XLIII [now clause 4 of rule XXIII] of the Rules of the House of Representatives.”

NONCAMPAIGN USE OF CAMPAIGN VEHICLES

Pub. L. 101-194, title VIII, §802(e), Nov. 30, 1989, 103 Stat. 1773, provided that: “The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives shall issue an advisory opinion to provide for appropriate conditions for the incidental noncampaign use of vehicles owned or leased by a campaign committee of a Member of the House of Representatives.”

RESTRICTIONS ON REIMBURSABLE TRAVEL EXPENSES

Pub. L. 101-194, title VIII, §805, Nov. 30, 1989, 103 Stat. 1778, provided that:

“(a) RESTRICTIONS.—The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives shall amend its advisory opinions relating to the acceptance of necessary travel expenses incurred on or after January 1, 1990, in connection with speaking engagements and similar events to—

“(1) prohibit the acceptance of such expenses for more than 4 consecutive days in the case of domestic travel and 7 consecutive days (excluding travel days) in the case of foreign travel; and

“(2) permit the acceptance of travel expenses for the spouse or other family member in connection with any substantial participation event or fact-finding activity.

“(b) EXEMPTION AUTHORITY.—The Committee on Standards of Official Conduct [now Committee on Ethics] of the House of Representatives is authorized to grant prior written exemptions from the limitations contained in subsection (a)(1) in exceptional circumstances.”

§ 30. Term of service of Members of Congress as trustees or directors of corporations or institutions appropriated for

In all cases where Members of Congress or Senators are appointed to represent Congress on any board of trustees or board of directors of any corporation or institution to which Congress makes any appropriation, the term of said

Members or Senators, as such trustee or director, shall continue until the expiration of two months after the first meeting of the Congress chosen next after their appointment.

(Mar. 3, 1893, ch. 199, §1, 27 Stat. 553.)

CODIFICATION

Section was formerly classified to section 722 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, §1, Sept. 13, 1982, 96 Stat. 877.

§ 30a. Jury duty exemption of elected officials of legislative branch

(a) Notwithstanding any other provision of Federal, State or local law, no elected official of the legislative branch of the United States Government shall be required to serve on a grand or petit jury, convened by any Federal, State or local court, whether such service is requested by judicial summons or by some other means of compulsion.

(b) “Elected official of the legislative branch” shall mean each Member of the United States House of Representatives, the Delegates from the District of Columbia, Guam, the American Virgin Islands, and American Samoa, and the Resident Commissioner from Puerto Rico, and each United States Senator.

(Pub. L. 101-520, title III, §310, Nov. 5, 1990, 104 Stat. 2278.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

§ 30b. Notice of objecting to proceeding

(a) In general

The Majority and Minority Leaders of the Senate or their designees shall recognize a notice of intent of a Senator who is a member of their caucus to object to proceeding to a measure or matter only if the Senator—

(1) following the objection to a unanimous consent to proceeding to, and, or passage of, a measure or matter on their behalf, submits the notice of intent in writing to the appropriate leader or their designee; and

(2) not later than 6 session days after the submission under paragraph (1), submits for inclusion in the Congressional Record and in the applicable calendar section described in subsection (b) the following notice:

“I, Senator _____, intend to object to proceedings to _____, dated _____ for the following reasons _____.”

(b) Calendar

(1) In general

The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled “Notice of Intent to Object to Proceeding”.

(2) Content

The section required by paragraph (1) shall include—

(A) the name of each Senator filing a notice under subsection (a)(2);

- (B) the measure or matter covered by the calendar that the Senator objects to; and
- (C) the date the objection was filed.

(3) Notice

A Senator who has notified their respective leader and who has withdrawn their objection within the 6 session day period is not required to submit a notification under subsection (a)(2).

(c) Removal

A Senator may have an item with respect to the Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in the Congressional Record the following notice:

“I, Senator _____, do not object to proceed to _____, dated _____.”

(Pub. L. 110-81, title V, §512, Sept. 14, 2007, 121 Stat. 759.)

EFFECTIVE DATE

Pub. L. 110-81, title V, §556, Sept. 14, 2007, 121 Stat. 774, provided that: “Except as otherwise provided in this title [enacting this section, sections 31-3, 72a-1h, 72a-1i, 104f, and 104g of this title, and provisions set out as notes under this section and section 31-3 of this title], this title shall take effect on the date of enactment of this title [Sept. 14, 2007].”

EXERCISE OF RULEMAKING POWERS

Pub. L. 110-81, title V, §555, Sept. 14, 2007, 121 Stat. 774, provided that: “The Senate adopts the provisions of this title [see Effective Date note above]—

“(1) as an exercise of the rulemaking power of the Senate; and

“(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.”

CHAPTER 3—COMPENSATION AND ALLOWANCES OF MEMBERS

- Sec. 31. Compensation of Members of Congress.
- 31-1. Repealed.
- 31-2. Gifts and travel.
- 31-3. Guidelines relating to restrictions on registered lobbyist participation in travel and disclosure.
- 31a. Repealed.
- 31a-1. Expense allowance of Majority and Minority Leaders of Senate; expense allowance of Majority and Minority Whips; methods of payment; taxability.
- 31a-2. Representation Allowance Account for Majority and Minority Leaders of Senate.
- 31a-2a. Transfer of funds from representation allowance of Majority and Minority Leaders of Senate to expense allowance; availability; definitions.
- 31a-2b. Transfer of funds from appropriations account of Majority and Minority Leaders of Senate to appropriations account, Miscellaneous Items, within Senate contingent fund.
- 31a-2c. Transfer of funds from appropriations account of Majority and Minority Whips of Senate to appropriations account, Miscellaneous Items, within Senate contingent fund.
- 31a-2d. Transfer of funds from appropriations account of the Office of the Vice President and the Offices of the Secretaries for the Majority and Minority to the Senate contingent fund.

- Sec. 31a-3. Expense allowance for Chairmen of Majority and Minority Conference Committees of Senate; method of payment; taxability.
- 31a-4. Expense allowance for Chairmen of Majority and Minority Policy Committees of Senate; method of payment; taxability.
- 31b. Expense allowance of Speaker of House of Representatives.
- 31b-1. Former Speakers of House of Representatives; retention of office, furniture, etc., in Congressional district following expiration of term as Representative; exceptions.
- 31b-2. Allowance available to former Speaker for payment of office and other expenses for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker.
- 31b-3. Repealed.
- 31b-4. Franked mail and printing privileges of former Speaker.
- 31b-5. Staff assistance to former Speaker for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker; compensation and status of staff.
- 31b-6. Repealed.
- 31b-7. Availability of entitlements of former Speaker for 5 years.
- 31c. Repealed.
- 32. Compensation of President pro tempore of Senate.
- 32a. Compensation of Deputy President pro tempore of Senate.
- 32b. Expense allowance of President pro tempore of Senate; methods of payment; taxability.
- 33. Senators' salaries.
- 34. Representatives' and Delegates' salaries payable monthly.
- 35. Salaries payable monthly after taking oath.
- 35a. End-of-the-month salary payment schedule inapplicable to Senators.
- 36. Salaries of Senators.
- 36a. Payment of sums due deceased Senators and Senate personnel.
- 37. Salaries of Representatives, Delegates, and Resident Commissioners elected for unexpired terms.
- 38. Repealed.
- 38a. Disposition of unpaid salary and other sums on death of Representative or Resident Commissioner.
- 38b. Death gratuity payments as gifts.
- 39. Deductions for absence.
- 40. Deductions for withdrawal.
- 40a. Deductions for delinquent indebtedness.
- 41, 42. Repealed.
- 42a. Special delivery postage allowance for President of Senate.
- 42a-1 to 43b-1. Repealed or Omitted.
- 43b-2. Staff expenses for House Members attending organizational caucus or conference.
- 43b-3. Payments and reimbursements for certain House staff expenses.
- 43c. Repealed.
- 43d. Organizational expenses of Senator-elect.
- 44 to 46. Omitted.
- 46a. Stationery allowance for President of Senate.
- 46a-1. Senate revolving fund for stationery allowances; availability of unexpended balances; withdrawals.
- 46a-2 to 46b. Omitted or Repealed.
- 46b-1. House revolving fund for stationery allowances; disposition of moneys from stationery sales; availability of unexpended balances.
- 46b-2 to 46d. Repealed.
- 46d-1. Long-distance telephone calls for Vice President.
- 46d-2 to 46i. Repealed.
- 47. Mode of payment.