

set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 10 of House Document No. 103-7.

§ 481. Authorization of appropriations; availability of appropriations

(a) To enable the Office to carry out its powers and duties, there is hereby authorized to be appropriated to the Office, out of any money in the Treasury not otherwise appropriated, not to exceed \$5,000,000 in the aggregate for the two fiscal years ending June 30, 1973, and June 30, 1974, and thereafter such sums as may be necessary.

(b) Appropriations made pursuant to the authority provided in subsection (a) shall remain available for obligation, for expenditure, or for obligation and expenditure for such period or periods as may be specified in the Act making such appropriations.

(Pub. L. 92-484, § 12, Oct. 13, 1972, 86 Stat. 803.)

CHAPTER 16—CONGRESSIONAL MAILING STANDARDS

Sec.	
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§ 501. House Commission on Congressional Mailing Standards

(a) Establishment; designation

There is established a special commission of the House of Representatives, designated the "House Commission on Congressional Mailing Standards" (herein referred to as the "Commission").

(b) Membership; political party representation; Chairman; vacancies; quorum

The Commission shall be composed of six Members appointed by the Speaker of the House, three from the majority political party, and three from the minority political party, in the House. The Speaker shall designate as Chairman of the Commission, from among the members of the Committee on Post Office and Civil Service of the House, one of the Members appointed to the Commission. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment. Four members of the Commission shall constitute a quorum to do business.

(c) Assistance and use of personnel, including chief counsel, of Committee on Post Office and Civil Service of the House

In performing its duties and functions, the Commission may use such personnel, office space, equipment, and facilities of, and obtain such other assistance from, the Committee on Post Office and Civil Service of the House, as such committee shall make available to the

Commission. Such personnel and assistance shall include, in all cases, the services and assistance of the chief counsel or other head of the professional staff (by whatever title designated) of such committee. All assistance so furnished to the Commission by the Committee on Post Office and Civil Service shall be sufficient to enable the Commission to perform its duties and functions efficiently and effectively.

(d) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations

The Commission shall provide guidance, assistance, advice, and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2), 3218, or 3219, in connection with the operation of section 3215, of title 39, and in connection with any other Federal law (other than any law which imposes any criminal penalty) or any rule of the House of Representatives relating to franked mail, upon the request of any Member of the House or Member-elect, Resident Commissioner or Resident Commissioner-elect, Delegate or Delegate-elect, any former Member of the House or former Member-elect, Resident Commissioner or Resident Commissioner-elect, Delegate or Delegate-elect, any surviving spouse of any of the foregoing (or any individual designated by the Clerk of the House under section 3218 of title 39), or any other House official or former House official, entitled to send mail as franked mail under any of those sections. The Commission shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(e) Complaint of franked mail violations; investigation; notice and hearing; conclusiveness of findings; decision of Commission; judicial review; reference of certain violations to Committee on Standards of Official Conduct of the House for appropriate action and enforcement; administrative procedure regulations

Any complaint by any person that a violation of any section of title 39 referred to in subsection (d) of this section (or any other Federal law which does not include any criminal penalty or any rule of the House of Representatives relating to franked mail) is about to occur, or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (d), shall contain pertinent factual material and shall conform to regulations prescribed by the Commission. The Commission, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The Commission shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the Commission. The Commission shall issue a written decision on each complaint under this subsection not later than thirty days

after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the Commission. Such findings of fact by the Commission on which its decision is based are binding and conclusive for all judicial and administrative purposes, including purposes of any judicial challenge or review. Any judicial review of such decision, if ordered on any ground, shall be limited to matters of law. If the Commission finds in its written decision, that a serious and willful violation has occurred or is about to occur, it may refer such decision to the Committee on Standards of Official Conduct of the House of Representatives for appropriate action and enforcement by the committee concerned in accordance with applicable rules and precedents of the House and such other standards as may be prescribed by such committee. In the case of a former Member of the House or a former Member-elect, a former Resident Commissioner or Delegate or Resident Commissioner-elect or Delegate-elect, any surviving spouse of any of the foregoing (or any individual designated by the Clerk of the House under section 3218 of title 39), or any other former House official, if the Commission finds in its written decision that any serious and willful violation has occurred or is about to occur, then the Commission may refer the matter to any appropriate law enforcement agency or official for appropriate remedial action. Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (d) of this section as entitled to send mail as franked mail, except judicial review of the decisions of the Commission under this subsection. The Commission shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551-559, and 701-706, of title 5. These regulations shall govern matters under this subsection subject to judicial review thereof.

(f) Procedural considerations; sessions, place and time; subpoenas, issuance and service; oaths and affirmations; testimony; printing and binding; expenditures; organizational and procedural regulations; majority assent

The Commission may sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths and affirmations, take such testimony, procure such printing and binding, and make such expenditures, as the Commission considers advisable. The Commission may make such rules respecting its organization and procedures as it consid-

ers necessary, except that no action shall be taken by the Commission unless a majority of the Commission assent. Subpoenas may be issued over the signature of the Chairman of the Commission or of any member designated by him or by the Commission, and may be served by such person or persons as may be designated by such Chairman or member. The Chairman of the Commission or any member thereof may administer oaths or affirmations to witnesses.

(g) Property of Commission; records; voting record; location of records, data, and files

The Commission shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the Commission shall be the property of the Commission and shall be kept in the offices of the Commission or such other places as the Commission may direct.

(Pub. L. 93-191, § 5, Dec. 18, 1973, 87 Stat. 742; Pub. L. 93-255, § 3(a), Mar. 27, 1974, 88 Stat. 52; Pub. L. 97-69, § 7, Oct. 26, 1981, 95 Stat. 1043.)

AMENDMENTS

1981—Subsec. (d). Pub. L. 97-69, § 7(a)(1), (b), inserted references to Federal laws (other than laws which impose criminal penalties), to rules of the House of Representatives relating to franked mail, to former Members of the House of Representatives or Members-elect, Resident Commissioners or Resident Commissioners-elect, Delegates or Delegates-elect, and former House officials, and to individuals designated by the Clerk of the House under section 3218 of title 39.

Subsec. (e). Pub. L. 97-69, § 7(a)(2), (c), inserted reference to Federal laws that do not include criminal penalties or rules of the House of Representatives relating to franked mail and inserted provision that, in the case of a former Member of the House or a former Member-elect, a former Resident Commissioner or Delegate or Resident Commissioner-elect or Delegate-elect, any surviving spouse of any of the foregoing (or any individual designated by the Clerk of the House under section 3218 of title 39), or any other former House official, if the Commission finds in its written decision that any serious and willful violation has occurred or is about to occur, then the Commission may refer the matter to any appropriate law enforcement agency or official for appropriate remedial action.

1974—Subsec. (d). Pub. L. 93-255 inserted reference to section 3219 of title 39.

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.

EFFECTIVE DATE

Section effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

ABOLITION OF HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Committee on Post Office and Civil Service of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on Post Office and Civil Service with respect to House Commission on Congressional Mailing Standards treated as referring to Committee on House Oversight, see section 1(b) of Pub. L. 104-14, set out as a note preceding section 21 of this title. 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.

§ 502. Select Committee on Standards and Conduct of the Senate

(a) Advisory opinions or consultations respecting franked mail for persons entitled to franking privilege; franking privilege regulations

The Select Committee on Standards and Conduct of the Senate shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3213(2), 3218, or 3219, and in connection with the operation of section 3215, of title 39, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Complaint of franked mail violations; investigation; notice and hearing; decision of select committee; enforcement

Any complaint filed by any person with the select committee that a violation of any section of title 39 referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of one year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by the complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Administrative or judicial jurisdiction of civil actions respecting franking law violations or abuses of franking privilege dependent on filing of complaint with select committee and rendition of decision by such committee

Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have ju-

risdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) Administrative procedure regulations

The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551 to 559 and 701 to 706, of title 5. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) Property of Senate; records of select committee; voting record; location of records, data, and files

The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

(Pub. L. 93-191, § 6, Dec. 18, 1973, 87 Stat. 744; Pub. L. 93-255, § 3(b), Mar. 27, 1974, 88 Stat. 52.)

AMENDMENTS

1974—Subsec. (a). Pub. L. 93-255 inserted reference to section 3219 of title 39.

EFFECTIVE DATE

Section effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

§ 503. 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) as to the amount that has been used and any person with an allocation under subsection (a)(2)(B) 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).

(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); 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 for franked mail, employee salaries, office space, furniture, or equipment and any associated information technology services (excluding handheld communications devices) from—

(1) funds received from a political committee or derived from a contribution or expenditure (as such terms are defined in section 30101 of title 52);

(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) 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)—

(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) 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; Pub. L. 107-68, title I, §110, Nov. 12, 2001, 115 Stat. 569; Pub. L. 108-83, title I, §105(a), Sept. 30, 2003, 117 Stat. 1018.)

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 6314 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 was formerly classified to section 59e of this title prior to editorial reclassification and renumbering as this section.

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

2003—Subsec. (d). Pub. L. 108-83, in introductory provisions, struck out “in the House, or official expenses” after “defray official expenses” and “in the Senate” after “(excluding handheld communications devices)”.

2001—Subsec. (d). Pub. L. 107-68, in introductory provisions, inserted “in the House, or official expenses for franked mail, employee salaries, office space, furniture, or equipment and any associated information technology services (excluding handheld communications devices) in the Senate” after “expenses”.

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 2003 AMENDMENT

Pub. L. 108-83, title I, §105(b), Sept. 30, 2003, 117 Stat. 1018, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2004 and each succeeding fiscal year.”

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 4313 of this title.

Pub. L. 106-19, §1(b), Apr. 8, 1999, 113 Stat. 29, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to January 1999 and each succeeding month.”

§ 504. 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 was formerly classified to section 59f of this title prior to editorial reclassification and renumbering as this section.

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

Pub. L. 103-283, title I, §3(c), July 22, 1994, 108 Stat. 1427, provided that: “The amendments made by this section [amending this section and section 4108 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.”

§ 505. 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 register 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 was formerly classified to section 59g of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 1991.

§ 506. 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). 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.

(e) Applicability

This section shall apply with respect to sessions of Congress beginning after September 16, 1996.

(Pub. L. 104–197, title III, §311, Sept. 16, 1996, 110 Stat. 2414.)

CODIFICATION

Section was formerly classified to section 59h of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 1997.

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.

CHAPTER 17—CONGRESSIONAL BUDGET OFFICE

Sec.	
601.	Establishment.
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609.	Employee training.
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611.	Employee development program.
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§ 601. Establishment**(a) In general**

(1) There is established an office of the Congress to be known as the Congressional Budget Office (hereinafter in this chapter referred to as the “Office”). The Office shall be headed by a Director; and there shall be a Deputy Director who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as Director.

(2) The Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate after considering recommendations received from the Committees on the Budget of the House and the Senate, without regard to political affiliation and solely on the basis of his fitness to perform his duties. The Deputy Director shall be appointed by the Director.

(3) The term of office of the Director shall be 4 years and shall expire on January 3 of the year preceding each Presidential election. Any individual appointed as Director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as Director at the expiration of a term may continue to serve until his successor is appointed. Any Deputy Director shall serve until the expiration of the term of office of the Director who appointed him (and until his suc-

cessor is appointed), unless sooner removed by the Director.

(4) The Director may be removed by either House by resolution.

(5)(A) The Director shall receive compensation at an annual rate of pay that is equal to the lower of—

(i) the highest annual rate of compensation of any officer of the Senate; or

(ii) the highest annual rate of compensation of any officer of the House of Representatives.

(B) The Deputy Director shall receive compensation at an annual rate of pay that is \$1,000 less than the annual rate of pay received by the Director, as determined under subparagraph (A).

(b) Personnel

The Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may prescribe the duties and responsibilities of the personnel of the Office, and delegate to them authority to perform any of the duties, powers, and functions imposed on the Office or on the Director. For purposes of pay (other than pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they were employees of the House of Representatives.

(c) Experts and consultants

In carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or, in the case of individual experts or consultants, by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the General Schedule of section 5332 of title 5.

(d) Relationship to executive branch

The Director is authorized to secure information, data, estimates, and statistics directly from the various departments, agencies, and establishments of the executive branch of Government and the regulatory agencies and commissions of the Government. All such departments, agencies, establishments, and regulatory agencies and commissions shall furnish the Director any available material which he determines to be necessary in the performance of his duties and functions (other than material the disclosure of which would be a violation of law). The Director is also authorized, upon agreement with the head of any such department, agency, establishment, or regulatory agency or commission, to utilize its services, facilities, and personnel with or without reimbursement; and the head of each such department, agency, establishment, or regulatory agency or commission is authorized to provide the Office such services, facilities, and personnel.

(e) Relationship to other agencies of Congress

In carrying out the duties and functions of the Office, and for the purpose of coordinating the