

the next preceding House of Representatives. (R. S. §§ 31—33.)

#### DERIVATION

R. S. § 31 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 from act Feb. 21, 1867, ch. 56, § 2, 14 Stat. 397.

#### CODIFICATION

R. S. § 31 constitutes first sentence; R. S. § 32 constitutes second sentence, and R. S. § 33 constitutes the third sentence.

#### § 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.)

#### DERIVATION

Act Apr. 3, 1794, ch. 17, 1 Stat. 353.

#### CROSS REFERENCES

Removal of public offices from seat of government because of prevalence of contagious or epidemic disease, see section 73 of Title 4, Flag and Seal, Seat of Government, and The States.

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#### § 31. Compensation of Members of Congress.

The compensation of Senators, Representatives in Congress, and the Resident Commissioner from Puerto Rico shall be at the rate of \$30,000 per annum each; and the compensation of the Speaker of the House of Representatives shall be at the rate of \$43,000 per annum. (Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301; May 17, 1932, ch. 190, 47 Stat. 158; Mar. 24, 1934, ch. 84, § 7, 48 Stat. 460; Aug. 2, 1946, ch. 753, title VI, § 601 (a), 60 Stat. 850; Jan. 19, 1949, ch. 2, § 1 (d), 63 Stat. 4; Mar. 2, 1955, ch. 9, § 4 (a), 69 Stat. 11; Aug. 14, 1964, Pub. L. 88-426, title II, § 204, 78 Stat. 415.)

#### AMENDMENTS

1964—Pub. L. 88-426 increased the compensation of Senators, Representatives and the Resident Commissioner from \$22,500 to \$30,000 per annum and that of the Speaker from \$35,000 to \$43,000 per annum, and eliminated provisions which related to Delegates from the Territories.

1955—Act Mar. 2, 1955, increased the salaries of Senators, Representatives, Delegates, and the Resident Commissioner from \$12,500 a year to \$22,500 and the compensation of the Speaker from \$30,000 to \$35,000 a year.

1949—Act Jan. 19, 1949, increased the Speaker's salary from \$20,000 per year to \$37,000.

1946—Act Aug. 2, 1946, increased salary of the Speaker from \$15,000 to \$20,000 per annum, and salaries of the Senators, Representatives, Delegates, and Resident Commissioner from \$10,000 to \$12,500 per annum.

#### EFFECTIVE DATE OF 1964 AMENDMENT

Amendment of section by Pub. L. 88-426 effective at noon on Jan. 3, 1965, see section 501(b) of Pub. L. 88-426, set out as a note under section 1113 of Title 5, Executive Departments and Government Officers and Employees.

#### EFFECTIVE DATE OF 1955 AMENDMENT

Section 5 of act Mar. 2, 1955, provided that the provisions of that act amending this section, section 104

of Title 3, The President, sections 293, 294, and 295a of Title 5, Executive Departments and Government Officers and Employees, section 7443 (c) of Title 26, Internal Revenue Code of 1954, sections 5, 44 (d), 135, 173, 213, 252 and 508 of Title 28, Judiciary and Judicial Procedure, section 101 of Title 48, Territories and Insular Possessions, and section 654 (a) (1) of Title 50, War and National Defense, shall take effect Mar. 1, 1955.

#### EFFECTIVE DATE OF 1949 AMENDMENT

Amendment of section by act Jan. 19, 1949, effective at noon on Jan. 20, 1949, see section 3 of act Jan. 19, 1949, set out as a note under section 102 of Title 3, The President.

#### EFFECTIVE DATE OF 1946 AMENDMENT

Section 601 (a) of act Aug. 2, 1946, provided in part that the increase in salary provided by act Aug. 2, 1946 shall be effective Jan. 3, 1947.

#### COMMISSION ON JUDICIAL AND CONGRESSIONAL SALARIES

Act Aug. 7, 1953, ch. 353, 67 Stat. 485, which established a Commission to determine appropriate rates of salaries for justices and judges of the courts of the United States and for the Vice President, the Speaker of the House of Representatives, and Members of Congress, in order to provide fair and reasonable compensation to such officials, was omitted since the Commission was required to report its findings on or before January 15, 1954, whereupon the Commission was to terminate.

#### CROSS REFERENCES

Expense allowance of Speaker of House of Representatives, see section 31b of this title.

Retirement pay, see chapter 30 of Title 5, Executive Department and Government Officers and Employees.

§ 31a. Repealed. Mar. 2, 1955, ch. 9, § 4 (b), 69 Stat. 11, eff. Mar. 1, 1955.

Section, acts Aug. 2, 1946, ch. 753, title VI, § 601 (b), 60 Stat. 800; Oct. 20, 1951, ch. 521, title VI, § 619 (d), 65 Stat. 570, related to expense allowance for Senators, Representatives, Delegates, and Resident Commissioner.

§ 31b. Expense allowance of Speaker of House of Representatives.

There shall be paid to the Speaker of the House of Representatives in equal monthly installments an expense allowance of \$10,000 per annum (which shall be in lieu of the allowance provided by section 601 (b) of the Legislative Reorganization Act of 1946, as amended) to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which no accounting, other than for income tax purposes, shall be made by him. (Jan. 19, 1949, ch. 2, § 1 (e), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, § 619 (c), 65 Stat. 570.)

#### REFERENCES IN TEXT

Section 601 (b) of the Legislative Reorganization Act of 1946, as amended, referred to in the text, was formerly classified to section 31a of this title, and was repealed by act Mar. 2, 1955, ch. 9, § 4 (b), 69 Stat. 11, eff. Mar. 1, 1955.

#### AMENDMENTS

1951—Act Oct. 20, 1951, made the Speaker's expense allowance taxable.

#### EFFECTIVE DATE OF 1951 AMENDMENT

Section 619 (e) of act Oct. 20, 1951, provided in part that this amendment shall become effective at noon on Jan. 3, 1953.

#### EFFECTIVE DATE

Section effective at noon on Jan. 20, 1949, see section 3 of act Jan. 19, 1949, set out as a note under section 102 of Title 3, The President.

§ 31c. Residence of Members for expense-deductions in income tax matters; limitation on amount deductible for living expenses.

In the case of taxable years beginning after December 31, 1953, the place of residence of a Member

of Congress (including the Resident Commissioner) within the State, congressional district, or possession which he represents in Congress shall be considered his home for the purposes of section 23 (a) (1) (A) of Title 26, but amounts expended by such Member within each taxable year for living expenses shall not be deductible for income tax purposes in excess of \$3,000. (July 9, 1952, ch. 598, § 101, 66 Stat. 467; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 322.)

#### REFERENCES IN TEXT

"Section 23 (a) (1) (A) of Title 26", referred to in the text, was a reference to section 23 (a) (1) (A) of the Internal Revenue Code, 1939, which was repealed by section 7851 of Title 26, I. R. C. 1954, and is now covered by section 162 of said Title 26. For provisions deeming a reference in other laws to a provision of I. R. C. 1939, also as a reference to corresponding provision of I. R. C. 1954, see section 7852 (b) of Title 26.

#### CODIFICATION

Provisions which related to the Delegates from the Territories are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### AMENDMENTS

1953—Act Aug. 1, 1953, substituted "In the case of taxable years beginning after December 31, 1953" for "For the two taxable years beginning after December 31, 1952".

§ 32. Compensation of President Pro Tempore of Senate.

Whenever there is no Vice President, the President of the Senate for the time being is entitled to the compensation provided by law for the Vice President. (R. S. § 36.)

#### DERIVATION

Act Aug. 16, 1856, ch. 123, § 2, 11 Stat. 48.

#### CROSS REFERENCES

Compensation of Vice President, see section 104 of Title 3, The President.

Mileage of President of Senate, see section 43a of this title.

§ 33. Senators' salaries payable monthly.

Senators elected, whose term of office begins on the 3d day of January, and whose credentials in due form of law shall have been presented in the Senate, may receive their compensation monthly from the beginning of their term. (Mar. 3, 1883, ch. 143, 22 Stat. 632; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022.)

§ 34. Representatives' salaries payable monthly.

Representatives-elect to Congress, whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 26 of this title, may receive their compensation monthly, from the beginning of their term until the beginning of the first session of each Congress, upon a certificate in the form now in use to be signed by the Clerk of the House, which certificate shall have the like force and effect as is given to the certificate of the Speaker. (R. S. § 38; Mar. 3, 1875, ch. 130, § 1, 18 Stat. 389.)

#### DERIVATION

Act Mar. 3, 1873, ch. 226, § 1, 17 Stat. 488.

#### CODIFICATION

Provisions which authorized payment of salaries to Delegates-elect are omitted since there are no Delegates.

The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

### § 35. Salaries payable monthly after taking oath.

Each Member, after he has taken and subscribed the required oath, is entitled to receive his salary at the end of each month. (R. S. § 39.)

#### DERIVATION

Res. Mar. 29, 1867, No. 18, 15 Stat. 24.

#### CODIFICATION

Provisions which authorized payment of salaries to Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

### § 36. Salaries of Senators.

Salaries of Senators appointed to fill vacancies in the Senate shall commence on the day of their appointment and continue until their successors are elected and qualified: *Provided*, That when Senators have been elected during a sine die adjournment of the Senate to succeed appointees, the salaries of Senators so elected shall commence on the day following their election.

Salaries of Senators elected during a session to succeed appointees shall commence on the day they qualify: *Provided*, That when Senators have been elected during a session to succeed appointees, but have not qualified, the salaries of Senators so elected shall commence on the day following the sine die adjournment of the Senate.

When no appointments have been made the salaries of Senators elected to fill such vacancies shall commence on the day following their election. (Feb. 10, 1923, ch. 68, 42 Stat. 1225; Feb. 6, 1931, ch. 111, 46 Stat. 1065; June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1022; Feb. 13, 1935, ch. 6, § 1, 49 Stat. 22, 23.)

#### SIMILAR PROVISIONS

1894—July 31, 1894, ch. 174, 28 Stat. 162.  
1873—R. S. § 51.

#### CONSTITUTIONAL PROVISIONS

The first section of amendment XX to the Constitution provides in part: " \* \* \* the terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

### § 36a. Payment of sums due deceased Senators and Senate personnel.

When any person dies while serving as a Senator or officer or employee of the Senate, the disbursing officer of the Senate shall pay to the widow or widower of such person, or, if there is no widow or widower, to the next of kin or heirs at law of such person, any unpaid balance of salary or other sums due such person at the time of his death.

Section 50 of the Revised Statutes shall not be effective as to persons included within the foregoing. (Jan. 6, 1951, ch. 1213, ch. I, § 1, 64 Stat. 1224.)

#### REFERENCES IN TEXT

Section 50 of the Revised Statutes, referred to in the text, which required payment of not less than three months' salary to the widow or heirs at law of a deceased Member of or Delegate in Congress, was formerly classified to section 38 of this title, and is omitted from this Code as superseded by section 38a of this title.

### § 37. Salaries of Representatives and Resident Commissioners elected for unexpired terms.

The salaries of Representatives in Congress and Resident Commissioners, elected for unexpired terms, shall commence on the date of their election and not before. (July 16, 1914, ch. 141, § 1, 38 Stat. 458.)

#### CODIFICATION

Provisions which related to payment of salaries of Delegates elected for unexpired terms are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### CROSS REFERENCES

Resident Commissioner of Puerto Rico, see section 46 of this title and sections 891—894 of Title 48, Territories and Insular Possessions.

### § 38. Pay of Member dying after commencement of Congress.

#### CODIFICATION

Section, R. S. §§ 49, 50; acts Jan. 20, 1874, ch. 11, 18 Stat. 4; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301, is now covered by section 38a of this title.

### § 38a. Disposition of unpaid salary and other sums upon death of Representative or Resident Commissioner.

When any individual who has been elected a Member of, or Resident Commissioner to, the House of Representatives dies after the commencement of the Congress to which he has been elected, any unpaid balance of salary and other sums due such individual (including amounts held in the trust fund account in the office of the Sergeant at Arms) shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to the recovery by any other person of amounts so paid:

First, to the beneficiary or beneficiaries designated by such individual in writing to receive such unpaid balance and other sums due filed with the Sergeant at Arms, and received by the Sergeant at Arms prior to such individual's death;

Second, if there be no such beneficiary, to the widow or widower of such individual;

Third, if there be no beneficiary or surviving spouse, to the child or children of such individual, and descendants of deceased children, by representation;

Fourth, if none of the above, to the parents of such individual, or the survivor of them;

Fifth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased individual, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased individual. (July 2, 1954, ch. 455, title I, § 105, 68 Stat. 409, July 23, 1959, Pub. L. 86-102, 73 Stat. 224.)

#### AMENDMENTS

1959—Pub. L. 86-102 added provisions including amounts held in the trust fund account, authorizing an individual to designate a beneficiary or beneficiaries, and prescribing the order of precedence in cases where no designation of beneficiary has been made.

### § 38b. Death gratuity payments as gifts.

Any death gratuity payment at any time specifically appropriated by any Act of Congress or at any time made out of the contingent fund of the House

of Representatives or of the Senate shall be held to have been a gift. (June 5, 1952, ch. 369, ch. I, § 101, 66 Stat. 101.)

#### CODIFICATION

Provisions are also set out as section 125a of this title.

#### § 39. Deductions for absence.

The Secretary of the Senate and Sergeant at Arms of the House, respectively, shall deduct from the monthly payments of each Member the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member assigns as the reason for such absence the sickness of himself or of some member of his family. (R. S. § 40.)

#### DERIVATION

Act Aug. 16, 1856, ch. 123, § 6, 11 Stat. 49.

#### CODIFICATION

Provisions which related to deductions from monthly payments to Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### § 40. Deductions for withdrawal.

When any Member withdraws from his seat and does not return before the adjournment of Congress, he shall, in addition to the sum deducted for each day, forfeit a sum equal to the amount which would have been allowed by law for his mileage in returning home; and such sum shall be deducted from his compensation, unless the withdrawal is with the leave of the Senate or House of Representatives respectively. (R. S. § 41.)

#### DERIVATION

Res. July 17, 1862, No. 68, § 2, 12 Stat. 628.

#### CODIFICATION

Provisions which related to deductions from Delegates who withdraw are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### § 40a. Deductions for delinquent indebtedness.

Whenever a Representative, Resident Commissioner, or a United States Senator, shall fail to pay any sum or sums due from such person to the House of Representatives or Senate, respectively, the appropriate committee or officer of the House of Representatives or Senate, as the case may be, having jurisdiction of the activity under which such debt arose, shall certify such delinquent sum or sums to the Sergeant at Arms of the House in the case of an indebtedness to the House of Representatives and to the Secretary of the Senate in the case of an indebtedness to the Senate, and such latter officials are authorized and directed, respectively, to deduct from any salary, mileage, or expense money due to any such delinquent such certified amounts or so much thereof as the balance or balances due such delinquent may cover. Sums so deducted by the Secretary of the Senate shall be disposed of by him in accordance with existing law, and sums so deducted by the Sergeant at Arms of the House shall be paid to the Clerk of the House and disposed of by him in accordance with existing law. (June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1024.)

#### CODIFICATION

Provisions which related to the delinquent indebtedness of Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### § 41. Newspapers.

No Member is entitled to any allowance for newspapers. (R. S. § 43.)

#### DERIVATION

Act Feb 12, 1868, ch. 8, § 1, 15 Stat. 35.

#### CODIFICATION

Provisions which related to Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### § 42. Postage.

#### CODIFICATION

Section, R. S. § 44, omitted as obsolete in view of sections 42a, 46a, and 46b of this title.

#### § 42a. Airmail and special-delivery postage allowances.

The Secretary of the Senate is authorized and directed to procure and furnish each fiscal year to each Senator and the President of the Senate, upon request by such person, United States air mail and special-delivery postage stamps in an amount not exceeding \$610 for the fiscal year 1964 and thereafter for the mailing of postal matters arising in connection with his or her official business, and the Clerk of the House of Representatives is authorized and directed to procure and furnish and Resident Commissioner of Puerto Rico, upon request by such person, United States air mail and special-delivery postage stamps, in an amount not exceeding \$200 for the mailing of postal matters arising in connection with his or her official business. (July 1, 1941, ch. 268, § 1, 55 Stat. 450; June 8, 1942, ch. 396, § 1, 56 Stat. 339; June 26, 1944, ch. 277, title I, § 1, 58 Stat. 339; June 13, 1945, ch. 199, § 1, 59 Stat. 243; Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402; Aug. 5, 1955, ch. 568, § 1, 69 Stat. 503; June 27, 1956, ch. 453, § 101, 70 Stat. 359; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 442; July 12, 1960, Pub. L. 86-623, § 101, 74 Stat. 449; Dec. 30, 1963, Pub. L. 88-248, § 101, 77 Stat. 805.)

#### AMENDMENTS

1963—Pub. L. 88-248 increased the maximum allowance from \$550 to \$610 for the fiscal year 1964 and thereafter.

1960—Pub. L. 86-628 increased the maximum allowance from \$450 to \$550 for the fiscal year 1961 and thereafter.

1958—Pub. L. 85-570 increased the maximum per capita allowance for Senators and the President of the Senate from \$400 to \$450.

1956—Act June 27, 1956, increased the maximum per capita allowance for Senators and the President of the Senate from \$300 to \$400.

1955—Act Aug. 5, 1955, increased the maximum per capita allowance for Senators and the President of the Senate from \$200 to \$300.

1954—Act July 2, 1954, increased the maximum per capita allowance for Senators and the President of the Senate from \$132.07 to \$200, for each fiscal year, and the allowance for each Representative, Delegate, and Resident Commissioner from \$125 to \$200, for each fiscal year.

1951—Act Oct. 11, 1951, increased the allowance for each Senator and the President of the Senate from \$105.66 to \$132.07.

1945—Act June 13, 1945, increased amount of postage for each Senator and the President of the Senate from \$96.66 to \$105.66, and for each Representative, Delegate, and Resident Commissioner from \$65 to \$90 per year.

1944—Act June 26, 1944, increased amount of air mail and special-delivery postage stamps for each Senator and the President of the Senate from \$50 to \$96.66 per year, and for each Representative, Delegate, and Resident Commissioner from \$50 to \$65 per year.

1942—Act June 8, 1942, provided that special-delivery stamps in addition to air mail stamps be furnished upon request to each Representative, Delegate, and the Resident Commissioner for Puerto Rico.

#### EFFECTIVE DATE OF 1954 AMENDMENT

Section 101 of act July 2, 1954, provided in part that part of such amendment increasing the air mail and special-delivery postage allowance of Representatives, Delegates, and Resident Commissioner from \$125 to \$200, shall be effective after June 30, 1954.

#### EFFECTIVE DATE OF 1944 AMENDMENT

Amendment of section by act June 26, 1944, increasing postage stamps allowance of Senators and President of the Senate was made effective July 1, 1944, by title I thereof.

§§ 42a-1, 42b. Omitted.

#### CODIFICATION

Section 42a-1, act July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for the Speaker and the House majority and minority leaders and whips, and is omitted as superseded by section 42d of this title.

Section 42b, acts June 22, 1949, ch. 235, § 101, 63 Stat. 222; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, prescribed airmail and special-delivery postage allowances for each House standing committee, and is omitted as superseded by section 42c of this title.

§ 42c. Airmail and special-delivery stamps for House members and standing committees.

The Clerk of the House of Representatives is authorized and directed to procure and furnish—

(1) to each Representative and the Resident Commissioner of Puerto Rico, upon request by such person, United States airmail and special delivery postage stamps in an amount not exceeding \$500, for the first session of the Eighty-Sixth Congress and for each succeeding regular session of Congress, for the mailing of postal matters arising in connection with his official business; and

(2) to each standing committee of the House of Representatives, upon request of the chairman thereof, United States airmail and special delivery postage stamps in an amount not exceeding \$300, for the first session of the Eighty-sixth Congress and for each succeeding regular session of Congress, for official business of each such committee.

(Pub. L. 85-778, § 1, Aug. 27, 1958, 72 Stat. 934; Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550.)

#### CODIFICATION

Provisions which authorized stamps for Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### AMENDMENTS

1964—Additional airmail and special delivery stamps in an amount not exceeding \$100 for each Representative and the Resident Commissioner from Puerto Rico, and in an amount not exceeding \$60 for each standing committee, was authorized by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

#### EXISTING ENTITLEMENTS

Sections 3 and 4 of Pub. L. 85-778, provided:

"Sec. 3. In addition to amounts of United States airmail and special delivery postage stamps made available by this Act for the first session of the Eighty-sixth Congress, each person and committee referred to in this Act shall be entitled to receive, until June 30, 1959, the amount of such stamps to which he would have been entitled but for the enactment of this Act.

"Sec. 4. Except as provided in section 3, amounts of United States airmail and special delivery postage stamps made available by the first section and section 2 of this Act [this section and section 42d of this title] shall be in lieu of, and not in addition to, any amounts of such stamps made available under any other provisions of law to persons and committees referred to in such sections."

§ 42d. Airmail and special-delivery stamps for House Speaker, leaders, whips, and officers.

(1) The Speaker, the majority and minority leaders, and the majority and minority whips of the House of Representatives shall each be allowed, for the first session of the Eighty-sixth Congress and for each succeeding regular session of Congress, United States airmail and special delivery postage stamps in an amount not exceeding \$450.

(2) For the first session of the Eighty-sixth Congress and for each succeeding regular session of Congress, the following officers of the House of Representatives shall each be allowed United States airmail and special delivery postage stamps in the amounts herein specified as follows: The Clerk of the House, \$800; the Sergeant at Arms, \$600, the Doorkeeper, \$500, and the Postmaster, \$400. (Pub. L. 85-778, § 2, Aug. 27, 1958, 72 Stat. 934; Pub. L. 88-454, § 103, Aug. 20, 1964, 78 Stat. 550.)

#### AMENDMENTS

1964—Subd. (1). Additional airmail and special delivery stamps in an amount not exceeding \$90 were authorized by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

Subd. (2). Airmail and special delivery allowances were increased in the amount of \$160 for the Clerk, \$120 for the Sergeant at Arms, \$100 for the Doorkeeper, and \$80 for the Postmaster by House Resolution No. 532, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

§ 43. Mileage of Senators and Representatives.

Each Senator and Representative shall receive mileage at the rate of 20 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session. (July 28, 1866, ch. 296, § 17, 14 Stat. 323.)

#### CODIFICATION

Provisions which authorized payment of mileage to Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

#### REPEALS

Act Jan. 20, 1874, ch. 11, 18 Stat. 4, repealed so much of act Mar. 3, 1873, ch. 226, 17 Stat. 486, as provided for increase in compensation of Members of Congress and Delegates and that their compensation and allowances should be fixed by laws in force at time of passage of said act Mar. 3, 1873.

#### CROSS REFERENCES

Additional transportation expenses, reimbursement of Senators and Members of House of Representatives, see section 43b of this title.

### § 43a. Mileage of President of Senate.

On and after July 8, 1935, the President of the Senate shall be paid mileage at the same rate and in the same manner as now allowed by law to Senators and Members of the House of Representatives. (July 8, 1935, ch. 374, § 1, 49 Stat. 459.)

#### CODIFICATION

Provisions which related to Delegates in Congress are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

### § 43b. Reimbursement of Senators and Members of House of Representatives for additional transportation expenses.

The Contingent Fund of the Senate is hereafter made available for reimbursement of transportation expenses incurred by Senators in travelling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in their home States, for not to exceed two round trips in each fiscal year, and the contingent fund of the House of Representatives is hereafter made available for reimbursement of transportation expenses incurred by Members (including the Resident Commissioner from Puerto Rico) in traveling, on official business, by the nearest usual route, between Washington, District of Columbia, and any point in the district which he represents, for not to exceed two round trips in each year. (Pub. L. 85-570, § 101, July 31, 1958, 72 Stat. 443; Pub. L. 86-176, § 101, Aug. 21, 1959, 73 Stat. 401; Pub. L. 88-70, July 19, 1963, 77 Stat. 82.)

#### AMENDMENTS

1963—Pub. L. 88-70 authorized reimbursement of Members of House of Representatives for transportation expenses.

1959—Pub. L. 86-176 substituted "between Washington, District of Columbia, and any point in their home States, for not to exceed two round trips" for "from Washington, District of Columbia, to their resident cities in their home States, and return, for not to exceed two such round trips."

### § 43c. Restriction on payment of travel or subsistence expenses to Senators and Representatives.

No funds made available in any Act shall be used to pay the expenses of travel or subsistence for any trip made by any Senator or Representative between the District of Columbia and his home State in the case of a Senator, or his district in the case of a Representative, other than (1) trips which are specifically authorized by law for mileage or transportation expense of Senators and Representatives, (2) official participation in the funeral services of deceased Senators or Representatives, or (3) official trips originating in the Senator's State or Representative's district during periods when Congress is not in session. (Pub. L. 86-628, § 105(c), July 12, 1960, 74 Stat. 461.)

### §§ 44, 45. Omitted.

#### CODIFICATION

Section 44, act May 7, 1906, ch. 2083, § 1, 34 Stat. 170, authorized a mileage allowance to the Delegate from Alaska, and is omitted as obsolete since Alaska was admitted into the Union with membership of one Representative in Congress on Jan. 3, 1959 upon issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1, 7 and 8 of Pub. L. 85-508, July

7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Section 45, acts July 1, 1902, ch. 1369, § 8, 32 Stat. 694; Aug. 29, 1916, ch. 416, § 20, 39 Stat. 552, which authorized a mileage allowance to Resident Commissioners from the Philippine Islands, and was formerly covered by section 1237 of Title 48, Territories and Insular Possessions, is no longer in force in view of the independence of the Philippine Islands effected by section 1394 of Title 22, Foreign Relations and Intercourse, and proclaimed by the President of the United States in Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, set out as note under section 1394 of Title 22.

### § 46. Mileage allowance to Resident Commissioner from Puerto Rico.

The Resident Commissioner from Puerto Rico shall be allowed the sum of \$500 as mileage for each session of the House of Representatives. (Mar. 2, 1917, ch. 145, § 36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158.)

#### CROSS REFERENCES

Resident Commissioner of Puerto Rico, see sections 691-694 of Title 48, Territories and Insular Possessions.

### § 46a. Stationery allowance for Senators.

Commencing with the fiscal year 1964 and thereafter the allowance for stationery for each Senator and for the President of the Senate shall be at the rate of \$2,400 per annum. (Jan. 6, 1964, Pub. L. 88-258, title IV, § 401, 77 Stat. 864.)

#### CODIFICATION

Section is from Legislative Branch Appropriation Act, 1964, Pub. L. 88-258.

#### SIMILAR PROVISIONS

Similar provisions were contained in the following prior acts:

- 1955—Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504.
- 1953—Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 320.
- 1951—Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391.
- 1948—June 14, 1948, ch. 467, title I, § 101, 62 Stat. 425.
- 1945—June 13, 1945, ch. 189, § 1, 59 Stat. 244.
- 1941—July 1, 1941, ch. 268, § 1, 55 Stat. 450.

#### ADDITIONAL ALLOWANCES

The following acts authorized additional stationery allowances for each Senator and the President of the Senate:

- 1952—July 15, 1952, ch. 758, ch. II, § 201, 66 Stat. 639.
- 1950—Sept. 27, 1950, ch. 1052, ch. II, § 101, 64 Stat. 1047.
- 1949—Oct. 10, 1949, ch. 662, title I, § 101, 63 Stat. 738.
- 1948—May 10, 1948, ch. 270, § 101, 62 Stat. 213.
- 1947—May 1, 1947, ch. 49, title I, § 101, 61 Stat. 58.
- 1946—July 23, 1946, ch. 491, title I, § 101, 60 Stat. 602.
- 1945—Dec. 28, 1945, ch. 589, title I, § 101, 59 Stat. 633.

### § 46a-1. Senate revolving fund for stationery allowances; availability of unexpended balances; withdrawals.

There is established within the Contingent Fund of the Senate a revolving fund which shall consist of (1) the unexpended balance of the appropriation "Contingent Expenses, Senate, Stationery, fiscal year 1957", (2) any amounts hereafter appropriated for stationery allowances of the President of the Senate and of Senators, and for stationery for use of committees and officers of the Senate, and (3) any undeposited amounts heretofore received, and any amounts hereafter received as proceeds of sales by the stationery room of the Senate. Any moneys in the fund shall be available until expended for use in the same manner and for the same purposes as funds heretofore appropriated to the Contingent

Fund of the Senate for stationery, except that (1) the balance of any amount appropriated for stationery for use of committees and officers of the Senate which remains unexpended at the end of any fiscal year and (2) allowances which are not available for obligation due to vacancies or waiver of entitlement thereto, shall be withdrawn from the revolving fund. (Pub. L. 85-58, ch. XI, § 1101, June 21, 1957, 71 Stat. 188.)

**§ 46b. Stationery allowance for Representatives and Resident Commissioner.**

On and after July 2, 1954, the allowance for stationery for each Member of the House of Representatives and Resident Commissioner shall be \$2,400 per regular session. (July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402; July 12, 1960, Pub. L. 86-628, § 101, 74 Stat. 452; Aug. 20, 1964, Pub. L. 88-454 § 103, 78 Stat. 550.)

**CODIFICATION**

Provisions which authorized a stationery allowance for Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

**AMENDMENTS**

1964—An additional allowance of \$600 for stationery was authorized by House Resolution No. 533, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

1960—Pub. L. 86-628 increased the stationery allowance from \$1,200 to \$1,800.

**§ 16b-1. House revolving fund for stationery allowances; disposition of moneys from stationery sales; availability of unexpended balances.**

There is established a revolving fund for the purpose of administering the funds appropriated for stationery allowances to each Representative, the Resident Commissioner from Puerto Rico; and stationery for use of the committees, departments, and officers of the House. All moneys hereafter received by the stationery room of the House of Representatives from the sale of stationery supplies and other equipment shall be deposited in the revolving fund and shall be available for disbursement from the fund in the same manner as other sums that may be appropriated by the Congress for this purpose. The unexpended balance of all moneys heretofore received by the stationery room of the House of Representatives from the sale of stationery supplies and equipment shall be deposited in the Treasury of the United States to the credit of the fund: *Provided*, That the unexpended balances in the appropriations "Contingent expenses, House of Representatives, stationery, 1945-1946"; "Contingent expenses, House of Representatives, stationery, 1946"; "Contingent expenses, House of Representatives, stationery, 1947-48", as of June 30, 1947, shall be transferred to and made available for expenditure out of the fund, together with appropriations herein or hereafter made therefor, to remain available until expended. (July 17, 1947, ch. 262, § 101, 61 Stat. 366.)

**CODIFICATION**

Provisions which related to funds appropriated for stationery allowances to Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

**§ 46b-2. Prorated stationery allowance for Representatives and Resident Commissioner.**

In the case of any Member of the House of Representatives or Resident Commissioner who is elected for a portion of a term, the amount of stationery allowance which such Member or Resident Commissioner shall be paid shall be an amount, with respect to the year in which he commences his service, which is the same percentage of the total stationery allowance payable for service for all of such year as the number of months of his service in such year (counting the month in which he is elected as one month) is of the total number of months in such year. Such prorated stationery allowance shall be paid from the contingent fund of the House into the revolving fund for stationery allowances established in section 46b-1 of this title. (Feb. 27, 1956, ch. 73, 70 Stat. 31.)

**CODIFICATION**

Provisions which authorized prorated stationery allowances for Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

**§ 16c. Long-distance telephone calls for Senators: made to and from Washington, D. C.**

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate, toll charges on not to exceed one hundred and sixty strictly official long-distance telephone calls, aggregating per month for each Senator not more than eight hundred minutes, to and from Washington, District of Columbia. (June 13, 1945, ch. 189, § 1, 59 Stat. 244; July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814; Nov. 1, 1951, ch. 665, ch. I, § 101, 65 Stat. 760; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321; June 27, 1956, ch. 453, § 101, 70 Stat. 360; Jan. 6, 1964, Pub. L. 88-258, title IV, § 401, 77 Stat. 863.)

**AMENDMENTS**

1964—Pub. L. 88-258 substituted "one hundred and sixty" calls for "one hundred and twenty" calls and "eight hundred" minutes for "six hundred" minutes.

1956—Act June 27, 1956, substituted "one hundred and twenty" calls for "ninety" calls, and "six hundred" minutes for "four hundred and fifty" minutes.

1953—Act Aug. 1, 1953, substituted "ninety" calls for "sixty" calls, and "four hundred and fifty" minutes for "three hundred" minutes.

1951—Act Nov. 1, 1951, substituted "sixty" calls for "fifty" calls, and "three hundred" minutes for "two hundred and fifty" minutes.

1946—Act Aug. 2, 1946, substituted the "Committee on Rules and Administration" for "Committee to Audit and Control the Contingent Expenses".

Act July 1, 1946, increased the number of phone calls from twenty-six to fifty and the number of minutes from one hundred and thirty to two hundred and fifty per month.

**EFFECTIVE DATE OF 1964 AMENDMENT**

Section 401 of Pub. L. 88-258 provided in part that the amendments made by Pub. L. 88-258 to this section shall be effective Jan. 1, 1964.

**EFFECTIVE DATE OF 1956 AMENDMENT**

Section 101 of act June 27, 1956, provided in part that the amendments to this section shall be effective as of July 1, 1953.

**EFFECTIVE DATE OF 1953 AMENDMENT**

Section 101 of act Aug. 1, 1953, provided in part that the amendments to this section shall be effective as of July 1, 1953.

**EFFECTIVE DATE OF 1951 AMENDMENT**

Section 101 of act Nov. 1, 1951, provided in part that the amendments to this section shall be effective as of January 1, 1952.

**SIMILAR PROVISIONS**

The Legislative Branch Appropriation Act, 1945, act June 28, 1944, ch. 277, title I, § 58 Stat. 339, carried a somewhat similar provision providing for the payment of the toll on the first three minutes on ten official calls per month.

**ADDITIONAL PAYMENTS FOR CALLS TO OR FROM WASHINGTON**

Additional payments of toll charges on calls to or from Washington, see section 46d of this title.

§ 46d. Same; originating and terminating outside Washington, D. C.; additional payments for calls to or from Washington, D. C.

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate (1) the toll charges on strictly official long-distance telephone calls originating and terminating outside of Washington, District of Columbia, and (2) the toll charges on strictly official long-distance telephone calls to or from Washington, District of Columbia, in excess of those authorized to be paid under section 46c of this title, not to exceed \$1,800 per year, for each Senator. (June 13, 1945, ch. 189, § 1, 59 Stat. 244; July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814; Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 400; July 31, 1958, Pub. L. 85-570, § 101, 72 Stat. 442.)

**AMENDMENTS**

1958—Pub. L. 85-570 increased the maximum annual payments for each Senator from \$1,200 to \$1,800.

1954—Act July 2, 1954, inserted the provisions relating to toll charges on calls to or from Washington, and increased the maximum annual payments for each Senator from \$650 to \$1,200.

1953—Act Aug. 1, 1953, substituted "\$650" per annum for "\$450" per annum.

1946—Act Aug. 2, 1946, substituted the "Committee on Rules and Administration" for "Committee to Audit and Control the Contingent Expenses."

Act July 1, 1946, increased the toll charge payments from \$300 per year to \$450 and provided that they be paid semiannually.

**EFFECTIVE DATE OF 1958 AMENDMENT**

Section 101 of Pub. L. 85-570, provided in part that the amendment of this section by Pub. L. 85-570 shall be effective July 1, 1958.

**EFFECTIVE DATE OF 1954 AMENDMENT**

Section 101 of act July 2, 1954, provided in part that the amendment of this section shall be effective July 1, 1954.

**EFFECTIVE DATE OF 1953 AMENDMENT**

Section 101 of act Aug. 1, 1953, provided in part that the amendment of this section shall be effective July 1, 1953.

§ 46d-1. Long-distance telephone calls for Vice President.

Commencing January 20, 1949, the provisions of existing law relating to long-distance telephone calls for Senators shall be equally applicable to the Vice President of the United States. (May 24, 1949, ch. 138, title I, § 101, 63 Stat. 77.)

**CROSS REFERENCES**

Existing law relating to long-distance telephone calls for Senators, see sections 46c and 46d of this title.

**§ 46e. Telegram allowance.**

There shall be paid from the contingent fund of the Senate charges on official Government business paid and collect telegrams when so designated in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate. (July 1, 1946, ch. 530, § 101, 60 Stat. 392; Aug. 2, 1946, ch. 753, title I, § 102, 60 Stat. 814.)

**AMENDMENTS**

1946—Act Aug. 2, 1946, substituted the "Committee on Rules and Administration" for "Committee to Audit and Control the Contingent Expenses."

§ 46f. Telephone, telegraph, and radiotelegraph allowances for Representatives and Resident Commissioner.

In the case of each Member of the House of Representatives, there shall be paid from the contingent fund of the House of Representatives, in accordance with rules and regulations prescribed by the Committee on House Administration and subject to the limitations provided in section 46g of this title, the following charges:

(1) toll charges on strictly official long-distance telephone calls made by or on behalf of the Member within the United States, its Territories and possessions and the Commonwealth of Puerto Rico; and

(2) charges on strictly official telegrams, cablegrams and radiograms sent by or on behalf of the Member.

(June 23, 1949, ch. 238, § 1, 63 Stat. 264; May 29, 1951, ch. 117, § 1, 65 Stat. 47; Mar. 10, 1953, ch. 6, § 1, 67 Stat. 5; Feb. 27, 1956, ch. 74, § 1, 70 Stat. 31; Sept. 21, 1959, Pub. L. 86-340, § 1, 73 Stat. 605.)

**AMENDMENTS**

1959—Pub. L. 86-340 included the Commonwealth of Puerto Rico in clause (1).

1956—Act Feb. 27, 1956, authorized payment of charges on official cablegrams and radiograms.

1953—Act Mar. 10, 1953, removed reference to fiscal years and substituted "Member" for "Members."

1951—Act May 29, 1951, amended section generally to establish a new method of regulating payment of telephone calls and telegrams.

**EFFECTIVE DATE OF 1959 AMENDMENT**

Section 3 of Pub. L. 86-340 provided that: "The amendments made by the first two sections of this Act [amending this section and section 46g of this title] shall take effect as of noon, January 3, 1959."

**EFFECTIVE DATE OF 1956 AMENDMENT**

Section 3 of act Feb. 27, 1956, provided that the amendments to this section and section 46g of this title and the repeal of section 46f-1 of this title shall take effect as of noon on January 3, 1956.

**EFFECTIVE DATE OF 1953 AMENDMENT**

Section 2 of act Mar. 10, 1953, provided that the amendment of this section and section 46g of this title shall be effective as of Jan. 3, 1953.

**EFFECTIVE DATE OF 1951 AMENDMENT**

Section 4 of act May 29, 1951, provided that the amendments of this section and sections 46g and 46i of this title and the repeal of section 46h of this title shall take effect as of July 1, 1951.



CROSS REFERENCES

Member as used in this section includes a Representative in Congress, and the Resident Commissioner from Puerto Rico, see section 46i of this title.

§ 46f-1. Repealed. Feb. 27, 1956, ch. 74, § 2 (b), 70 Stat. 32.

Section, act July 2, 1954, ch. 455, title I, § 101, 68 Stat. 402, fixed the maximum minute allowance on long distance telephone calls of House Members, Delegates, and Resident Commissioner.

EFFECTIVE DATE OF REPEAL

Repeal of section effective as of noon on Jan. 3, 1956, see section 3 of act Feb. 27, 1956, set out as a note under section 46f of this title.

§ 46g. Telephone, telegraph, and radiotelegraph allowances for Representatives and Resident Commissioner.

(a) Limitation on amount; apportionment.

In the case of any Member of the House of Representatives other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, there shall be paid under section 46f of this title (1) toll charges on strictly official long-distance telephone calls, and (2) charges on strictly official telegrams, cablegrams and radiograms, made or sent by or on behalf of the Member, aggregating not more than one hundred thousand units during a term, except that if a Member is elected for a portion of a term, the aggregate number of units with respect to which such toll charges and charges may be paid under section 46f of this title for such portion of a term shall be reduced to a number which is the same percentage of one hundred thousand as the number of days of his service in such portion of a term is of the total number of days in a term.

(b) Communication units.

For the purposes of subsection (a) of this section—

(1) one minute of a long-distance telephone call shall be five units, and

(2) one word of a telegram, cablegram, or radiogram shall be one unit.

(c) Term.

For the purposes of this section, the word "term" means the period beginning at noon on January 3 of an odd-numbered calendar year and ending at noon on January 3 of the next succeeding odd-numbered calendar year. (June 23, 1949, ch. 238, § 2, 63 Stat. 265; May 29, 1951, ch. 117, § 1, 65 Stat. 47; July 8, 1952, ch. 590, § 1, 66 Stat. 443; Mar. 10, 1953, ch. 6, § 1, 67 Stat. 5; Feb. 27, 1956, ch. 74, § 2 (a), (c), 70 Stat. 32; Sept. 4, 1957, Pub. L. 85-289, § 1, 71 Stat. 614; Sept. 21, 1959, Pub. L. 86-340, § 2, 73 Stat. 605; Dec. 30, 1963, Pub. L. 88-244, § 103, 77 Stat. 817; Aug. 20, 1964, Pub. L. 88-454, § 103, 78 Stat. 550.)

AMENDMENTS

1964—Payment of charges for telephone calls, telegrams, cablegrams, and radiograms for an additional ten thousand units during a term was authorized by House Resolution No. 531, Oct. 2, 1963, which was enacted into permanent law by Pub. L. 88-454.

1963—Payment of charges for telephone calls, telegrams, cablegrams, and radiograms for an additional ten thousand units during a term was authorized by House Resolution No. 735, July 25, 1962, which was enacted into permanent law by Pub. L. 88-244.

1959—Pub. L. 86-340 designated the first par. of existing provisions as subsec. (a) and changed therein the six thousand minute telephone allowance and the forty thousand word telegraph allowance for each Congress to an aggregate eighty thousand units telephone and telegraph allowance, added subsec. (b) and designated the second par. of existing provisions as subsec. (c).

1957—Pub. L. 85-289 authorized payment for 6,000 minutes of long-distance telephone calls, 40,000 words in official telegrams, cablegrams, and radiograms, and 4,000 words in telegrams, cablegrams, and radiograms sent to or from a point outside the United States, and substituted the definition of "term" for the definition of "year".

1956—Act Feb. 27, 1956, authorized payment of 3,000 minutes of long-distance telephone calls made by Members each year, and charges on official telegrams, cablegrams and radiograms aggregating not more than 20,000 words per year, and limited the amount of telegrams, cablegrams and radiograms that may be sent to or from a point outside the United States, or its Territories or possessions.

1953—Act Mar. 10, 1953, removed the monthly limitations on official telephone calls and telegrams of Members without affecting the annual limitations, and to define "year".

1952—Act July 8, 1952, allowed Members to use accumulated minutes and words at any subsequent time during the Congress in which they accumulate.

1951—Act May 29, 1951, changed the limitation from \$500 per year to 150 minutes per month for telephone calls and 1000 words per month for telegrams.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment of section by Pub. L. 86-340 effective as of noon on Jan. 3, 1959, see section 3 of Pub. L. 86-340, set out as a note under section 46f of this title.

EFFECTIVE DATE OF 1957 AMENDMENT

Section 2 of Pub. L. 85-289 provided that the amendment of this section by section 1 of Pub. L. 85-289 shall take effect as of noon, Jan. 3, 1957.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment of section by act Feb. 27, 1956, effective as of noon on Jan. 3, 1956, see section 3 of act Feb. 27, 1956, set out as a note under section 46f of this title.

EFFECTIVE DATE OF 1953 AMENDMENT

Amendment of section by act Mar. 10, 1953 effective Jan. 3, 1953, see section 2 of act Mar. 10, 1953, set out as a note under section 46f of this title.

EFFECTIVE DATE OF 1952 AMENDMENT

Section 2 of act July 8, 1952, provided that amendment of section shall take effect as of July 1, 1951.

EFFECTIVE DATE OF 1951 AMENDMENT

Amendment of section by act May 29, 1951, effective July 1, 1951, see section 4 of act May 29, 1951, set out as a note under section 46f of this title.

CROSS REFERENCES

Member as used in this section includes a Representative in Congress and the Resident Commissioner from Puerto Rico, see section 46i of this title.

§ 46h. Repealed. May 29, 1951, ch. 117, § 2, 65 Stat. 47, eff. July 1, 1951.

Section, act June 23, 1949, ch. 238, § 3, 63 Stat. 265, related to limitation on charging telegrams to official business of the House, and is now covered by section 46g of this title.

§ 46i. Definitions.

As used in sections 46f, 46g, and 60g of this title, the term "Member" or "Member of the House of Representatives" includes a Representative in Congress and the Resident Commissioner from Puerto Rico. (June 23, 1949, ch. 238, § 6, 63 Stat. 265; May 29, 1951, ch. 117, § 3, 65 Stat. 47.)

## CODIFICATION

Provisions which related to a Delegate from a Territory are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

## AMENDMENTS

1951—Act May 29, 1951, omitted the definition of "State".

## EFFECTIVE DATE OF 1951 AMENDMENT

Amendment of section by act May 29, 1951, effective July 1, 1951, see section 4 of act May 29, 1951, set out as a note under section 46f of this title.

## § 47. Mode of payment.

The compensation of Members shall be passed as public accounts, and paid out of the public Treasury. (R. S. § 46.)

## DERIVATION

Acts Jan. 22, 1818, ch. 5, § 3, 3 Stat. 404 and Feb. 10 1854, ch. 11, § 1, 10 Stat. 267.

## CODIFICATION

Provisions which related to compensation of Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

## § 48. Certification of salary and mileage accounts.

Salary and mileage accounts of Senators shall be certified by the President of the Senate, and those of Representatives by the Speaker of the House of Representatives; and such certificates shall be conclusive upon all the departments and officers of the Government. (R.S. §§ 47, 48; July 28, 1866, ch. 296, § 17, 14 Stat. 323; Jan. 20, 1874, ch. 11, 18 Stat. 4.)

## DERIVATION

R. S. § 47 from acts July 28, 1866, ch. 296, § 17, 14 Stat. 323 and Jan. 22, 1818, ch. 5, § 3, 3 Stat. 404.

R. S. § 48 from act Sept. 30, 1850, ch. 90, § 1, 9 Stat. 523.

## CODIFICATION

R. S. § 47 constitutes first clause, and R. S. § 48 constitutes remainder.

Provisions which authorized certification of salary and mileage accounts of Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

## CROSS REFERENCES

Speaker authorized to designate a substitute in his office to sign certificates for salary and accounts, see section 50 of this title.

## § 49. Certificate of salary during recess.

The Clerk of the House of Representatives is authorized and directed to sign, during the recess of Congress after the first session and until the first day of the second session, the certificates for the monthly compensation of Members in Congress, which certificate shall be in the form in use on August 15, 1876, and shall have the like force and effect as is given to the certificate of the Speaker. (Aug. 15, 1876, ch. 287, § 1, 19 Stat. 145.)

## CODIFICATION

Provisions which related to certificates for the monthly compensation of Delegates are omitted since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

## § 50. Substitute to sign certificates for salary and accounts.

The Speaker is authorized to designate from time to time some one from among those appointed by him

and appropriated for and employed in his office, whose duty it shall be under the direction of the Speaker to sign in his name and for him all certificates required by section 48 of this title for salary and accounts for traveling expenses in going to and returning from Congress of Representatives. (Nov. 12, 1903, P. Res. No. 1, 33 Stat. 1.)

## CODIFICATION

Provisions which related to certificates for salary and accounts of Delegates are omitted, since there are no Delegates. The last Delegates to the Congress were from the Territories of Alaska and Hawaii prior to their admission as States in 1959.

## § 51. Monuments to deceased Senators or Members of House.

Whenever any deceased Senator or Member of the House of Representatives shall be actually interred in the Congressional Cemetery, so-called, it shall be the duty of the Sergeant at Arms of the Senate, in the case of a Senator, and of the Sergeant at Arms of the House of Representatives, in the case of a Member of the House, to have a monument erected, of granite, with suitable inscriptions, and the cost of the same shall be a charge upon and paid out either from the contingent funds of the Senate or of the House of Representatives, to whichever the deceased may have belonged, and any existing omissions of monuments or inscriptions, as aforesaid, are directed and authorized to be supplied in like manner. (May 23, 1876, ch. 103, 19 Stat. 54.)

## § 52. Office space for Senators in home States.

The Sergeant at Arms on and after June 27, 1956, is authorized and directed to secure suitable office space in post office or other Federal buildings in the State of each Senator for the use of such Senator and in the city to be designated by him: *Provided*, That in the event suitable space is not available in such buildings and a Senator leases or rents office space elsewhere, the Sergeant at Arms is authorized to approve for payment, from the contingent fund of the Senate, vouchers covering bona fide statements of rentals due in an amount not exceeding \$1,200 per annum for each Senator. (June 27, 1956, ch. 453, § 101, 70 Stat. 359.)

## SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1957, act June 27, 1956. Similar provisions were contained in the following prior appropriation acts:

1955—Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504.

1954—July 2, 1954, ch. 455, title I, § 101, 68 Stat. 399.

1953—Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 321.

1952—July 9, 1952, ch. 598, § 101, 66 Stat. 466.

1951—Oct. 11, 1951, ch. 485, § 101, 65 Stat. 391.

1950—Sept. 6, 1950, ch. 896, Ch. II, § 101, 64 Stat. 597.

1949—June 22, 1949, ch. 235, § 101, 63 Stat. 219.

1948—June 14, 1948, ch. 467, § 101, 62 Stat. 425.

## § 53. Payment of official office expenses of Senators incurred in home States.

The Sergeant at Arms of the Senate on and after June 27, 1956, is authorized and directed to approve for payment from the contingent fund of the Senate to each Senator an amount not to exceed \$150 quarterly, upon certification of each such Senator, for official office expenses incurred in his State: *Provided*, That in the case of the death of any Senator the chairman of the Committee on Rules and Administration may certify for such deceased Senator

for any portion of such quarterly allowances already obligated but not certified to at the time of such Senator's death, and for an amount at the same quarterly rate which may be reasonably needed for the purpose of closing such deceased Senator's State office, for payment to the person or persons designated as entitled to such payment by said chairman. (June 27, 1956, ch. 453, § 101, 70 Stat. 359.)

## SIMILAR PROVISIONS

Section is from the Legislative Branch Appropriation Act, 1957, act June 27, 1956. Similar provisions, apparently on a fiscal year basis, were contained in the following prior appropriation acts:

1955—Aug. 5, 1955, ch. 568, § 1, 69 Stat. 504.

1954—July 2, 1954, ch. 455, title I, § 101, 68 Stat. 399.

## Chapter 4.—OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

Sec.

60. Repealed.

60a. Positions and rates of compensation.

60b, 60c. Omitted.

60c-1. Officers and employees paid by Secretary of the Senate; payment of salary; advance payment.

60d. Officers and employees paid by Clerk of the House of Representatives; payment of December salary.

60e. Same; payment of salary for months other than December.

60e-1. Same; salary payment when payday falls on Saturday.

60f. Employees' salaries changeable by Senators and committee chairmen; titles of positions.

60f-1. Repealed.

60g. Clerk hire for Members and Resident Commissioner; effective date.

60g-1. Increase in basic rates for clerk hire for House Members and Resident Commissioner.

60h. Limitation on salary increases of standing committee clerks.

60i. Repealed.

60j. Longevity compensation.

(a) Eligible employees.

(b) Rate of compensation; limitation on increases; computation of service; effective date of payment.

(c) Repealed.

60j-1. Same; Capitol Police.

61. Limit on rate of compensation of officers and employees of the Senate.

61a. Compensation of Secretary of the Senate.

61a-1. Compensation of chief clerk of the Senate.

61a-2. Compensation of Postmaster and Assistant Postmaster of the Senate.

61b. Compensation of parliamentarian and assistant parliamentarian of the Senate.

61b-1. Appointment and compensation of second assistant parliamentarian.

61c. Compensation of employees of the office of Secretary of the Senate.

61d. Compensation of chaplain of the Senate.

61e. Compensation of Sergeant at Arms of the Senate.

61f. Compensation of employees of the office of Sergeant at Arms and Doorkeeper of the Senate.

61g. Compensation of Secretaries for the Senate Majority and Minority.

61h. Compensation of Assistant Secretaries for Senate Majority and Minority.

61i. Compensation of research assistants for Senate Majority and Minority Leaders.

62. Limitation on compensation of Sergeant at Arms and Doorkeeper of the Senate.

62a. Priority of Sergeant at Arms in expending appropriations for surplus property.

62b. On-the-spot audits of fiscal records of Sergeant at Arms; reports.

63. Duties of Senate Doorkeeper.

64. Secretary of Senate a disbursing officer.

Sec.

64a. Death, resignation, or disability of Secretary of Senate; Financial Clerk deemed successor as disbursing officer.

65. Bond of Secretary of Senate.

65a. Insurance of office funds of Secretary of the Senate and Sergeant at Arms; payment of premiums.

65b. Advances to Sergeant at Arms of the Senate for extraordinary expenses.

66. Fiscal year for adjustment of accounts of Secretary of Senate.

66a. Restriction on payment of dual compensation by Secretary of the Senate.

67. Clerks to Senators-elect.

67a. Employment of civilian employees of executive branch of Government by Senate Committee on Appropriations; restoration to former position.

68. Payments from contingent fund of Senate

68a. Same; materials, supplies and fuel.

68b. Same; per diem and subsistence expenses.

68c. Same; computation of compensation for stenographic assistance of committees.

69. Same; for expenses of committees.

70-72. Omitted.

72a. Committee staffs.

(a) Appointment of professional members; number; qualifications; termination of employment.

(b) Professional members for Committee on Appropriations; examination of executive agencies' operation.

(c) Clerical employees; appointment; number; duties.

(d) Recording of committee hearings, data, etc.; access to records.

(e) Compensation.

(f) Limitations on appointment of professional members.

(g) Repealed.

(h) Omitted.

(i) Additional professional members and clerical employees.

72a-1. Compensation of employees of Senate standing committees.

72a-1a. Limitation on compensation of committee staff employees.

72a-1b. Approval of employment and compensation of committee employees by standing committees of the House.

72a-2. Basic compensation of employees of House and Senate press, periodical, and radio galleries; appointment authorization.

72a-3. Computation of salaries and wages paid out of House appropriation items.

72a-4. Computation of salaries and wages paid out of Senate contingent-expense items.

72b. Regulations governing availability of appropriations for House committee employees.

72b-1. Committee and subcommittee reports on employed personnel; period covered; publication.

72c. House committee reports on employed personnel; period covered; publication.

73, 74. Omitted.

74-1. Personal services in office of the Speaker; payments from contingent fund

74-2. Messenger in office of the Speaker; compensation.

74a. Employment of administrative assistants for Speaker and majority and minority leaders of House of Representatives; compensation; appropriations.

74a-1. Compensation of Chief of Staff of Joint Committee on Internal Revenue Taxation.

74b. Employment of additional administrative assistants.

75. Bond of Clerk of House of Representatives.

75a. Death, resignation, etc., of Clerk of House; accounts and payments; liability of Clerk of House on bond; bond of disbursing clerk.

75a-1. Temporary appointments in case of vacancies or incapacity of House officers; compensation.

75b. Priority of Clerk of House in expending appropriations for surplus property.