

ing section 1 of Title 28, Judiciary and Judicial Procedure.

SUBCHAPTER V—RESIDENT COMMISSIONER

§ 891. Resident Commissioner; election

The qualified electors of Puerto Rico shall choose a Resident Commissioner to the United States at each general election, whose term of office shall be four years from the 3d of January following such general election, and who shall be entitled to receive official recognition as such commissioner by all of the departments of the Government of the United States, upon presentation, through the Department of State, of a certificate of election of the Governor of Puerto Rico.

(Mar. 2, 1917, ch. 145, §36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158; June 5, 1934, ch. 390, §5, 48 Stat. 879.)

CODIFICATION

Section is comprised of second sentence of section 36 of act Mar. 2, 1917. The first sentence of section 36, providing for election of a Resident Commissioner to the United States at the next general election for a term commencing with date of issuance of certificate of election and terminating Mar. 4, 1921, was omitted. The other sentences of section 36 are classified to section 46 of Title 2, The Congress [see section 48b-1 of Title 2], and to sections 892 and 893 of this title. Part of the third sentence of section 36, fixing the salary of the commissioner at \$7,500 per annum, was superseded by act Mar. 4, 1925, ch. 549, 43 Stat. 1301, as amended (section 893 of this title and section 31 of Title 2), providing, for that commissioner, a salary of \$22,500 per annum.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, §39, 31 Stat. 86.

The salary allowed by section 39 of act Apr. 12, 1900, was increased by act Feb. 26, 1907, ch. 1635, §4, 34 Stat. 993.

The resident commissioner was allowed traveling expenses in addition to his salary, and the commencement of his term was fixed by act July 1, 1902, ch. 1383, §3, 32 Stat. 732.

The manner of paying the salary and traveling expenses of the resident commissioner was fixed by a provision of act June 22, 1906, ch. 3514, §1, 34 Stat. 417.

AMENDMENTS

1934—Act June 5, 1934, changed commencement of term of office from Mar. 4 to Jan. 3 following the general election.

CHANGE OF NAME

“Puerto Rico” substituted in text for “Porto Rico” pursuant to act May 17, 1932, which is classified to section 731a of this title.

§ 892. Qualifications of Commissioner; appointment to fill vacancy

No person shall be eligible to election as Resident Commissioner who is not a bona fide citizen of the United States and who is not more than twenty-five years of age, and who does not read and write the English language. In case of a vacancy in the office of Resident Commissioner by death, resignation, or otherwise, the governor, by and with the advice and consent of the senate, shall appoint a Resident Commissioner to fill the vacancy, who shall serve until

the next general election and until his successor is elected and qualified.

(Mar. 2, 1917, ch. 145, §36, 39 Stat. 963.)

CODIFICATION

Section is comprised of fifth sentence of section 36 of act Mar. 2, 1917. See Codification note set out under section 891 of this title.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Apr. 12, 1900, ch. 191, §39, 31 Stat. 86.

§ 893. Salary of Commissioner; allowances; franking privilege

The Resident Commissioner shall receive a salary payable monthly by the United States. He shall be allowed the same sum for stationery and for the pay of necessary clerk hire as is allowed Members of the House of Representatives of the United States. He shall be allowed the franking privilege granted Members of Congress.

(Mar. 2, 1917, ch. 145, §36, 39 Stat. 963; Mar. 4, 1925, ch. 549, §4, 43 Stat. 1301.)

CODIFICATION

Section is comprised of parts of third and fourth sentences of section 36 of act Mar. 2, 1917. Part of third sentence of section 36, fixing the salary of the commissioner at \$7,500 per annum, was superseded by act Mar. 4, 1925, as amended, and set out as section 31 of Title 2, The Congress, providing for that commissioner a salary of \$22,500 per annum. Part of the fourth sentence of section 36 is classified to section 46 of Title 2 [see section 43b-1 of Title 2]. See, also, Codification note set out under section 891 of this title.

CROSS REFERENCES

Mileage, see section 43 of Title 2, The Congress.

Stationery allowance, see section 46b of Title 2.

§ 894. Salary and traveling expenses; payment

The salary and traveling expenses of the Resident Commissioner from Puerto Rico to the United States shall be paid by the Sergeant-at-Arms of the House of Representatives in the same manner as the salaries of the members of the House of Representatives are paid.

(June 22, 1906, ch. 3514, §1, 34 Stat. 417; May 17, 1932, ch. 190, 47 Stat. 158.)

CODIFICATION

Section was not enacted as part of the Puerto Rican Federal Relations Act which comprises this chapter.

CHANGE OF NAME

“Puerto Rico” substituted in text for “Porto Rico” pursuant to act May 17, 1932, which is classified to section 731a of this title.

TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

CROSS REFERENCES

Mileage, see section 43 of Title 2, The Congress.