

**§ 5322a. Allowance for compensation of interns in member offices**

**(a) Establishment of allowance**

There is established for the House of Representatives an allowance which shall be available for the compensation of interns who serve in the offices of Members of the House of Representatives.

**(b) Cap on amount available per office**

An office of a Member of the House of Representatives may not use more than \$20,000 of the allowance under this section during any calendar year.

**(c) Benefit exclusion**

Section 5321(b) of this title shall apply with respect to an intern who is compensated under the allowance under this section in the same manner as such section applies with respect to an intern who is compensated under the Members' Representational Allowance.

**(d) No effect on payment of interns under Members' Representational Allowance**

Nothing in this section may be construed to affect the use of the Members' Representational Allowance for the compensation of interns, as provided under section 5321 of this title.

**(e) Definitions**

In this section—

- (1) the term “intern” has the meaning given such term in section 5321(c)(2) of this title; and
- (2) the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

**(f) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$8,800,000 for fiscal year 2019, and such sums as may be necessary for fiscal year 2020 and each succeeding fiscal year.

(Pub. L. 115–244, div. B, title I, §120, Sept. 21, 2018, 132 Stat. 2931; Pub. L. 116–94, div. E, title I, §112(a), Dec. 20, 2019, 133 Stat. 2759.)

**Editorial Notes**

**AMENDMENTS**

2019—Subsec. (f). Pub. L. 116–94 substituted “, and such sums as may be necessary for fiscal year 2020 and each succeeding fiscal year.” for period at end.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2019 AMENDMENT**

Pub. L. 116–94, div. E, title I, §112(c), Dec. 20, 2019, 133 Stat. 2759, provided that: “The amendments made by this section [amending this section and section 5507 of this title] shall take effect as if included in the enactment of section 120 of the Legislative Branch Appropriations Act, 2019 (2 U.S.C. 5322a).”

**§ 5323. Pay of clerical assistants as affected by death of Senator or Representative**

When a Senator<sup>1</sup> or Member of the House of Representatives or Delegate or Resident Commissioner dies during his term of office the cler-

ical assistants appointed by him, and then borne upon the pay rolls of the Senate or House of Representatives, shall be continued on such pay rolls in their respective positions and be paid for a period not longer than one month: *Provided*, That this shall not apply to clerical assistants of standing committees of the Senate or House of Representatives, when their service otherwise would continue beyond such period.

(Feb. 23, 1927, ch. 168, §1, 44 Stat. 1148.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 92a of this title prior to editorial reclassification and renumbering as this section.

**Statutory Notes and Related Subsidiaries**

**INAPPLICABILITY TO EMPLOYEES OF SENATE**

Pub. L. 98–473, title I, §123A(a), Oct. 12, 1984, 98 Stat. 1969, provided that this section shall not apply to any employee of the Senate.

**§ 5324. Pay of clerical assistants as affected by death or resignation of Member of House**

Notwithstanding the provisions of section 5323 of this title, in case of the death or resignation of a Member of the House during his term of office, the clerical assistants designated by him and borne upon the clerk hire pay rolls of the House of Representatives on the date of such death or resignation shall be continued upon such pay rolls at their respective salaries until the successor to such Member of the House is elected to fill the vacancy.

(Aug. 21, 1935, ch. 600, §1, 49 Stat. 679; Apr. 24, 1950, ch. 96, 64 Stat. 82; July 15, 1952, ch. 759, §1, 66 Stat. 662; Pub. L. 89–554, §8(a), Sept. 6, 1966, 80 Stat. 657.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 92b of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

1966—Pub. L. 89–554 struck out sentence which related to retirement service credit.

1952—Joint Res. July 15, 1952, provided retirement credit to employees for time they were separated from employment following death or resignation of a Member and before election of his successor.

1950—Joint Res. Apr. 24, 1950, struck out second sentence which limited continuance of clerical assistants of deceased or resigned House Members on pay roll to six months.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Act Aug. 21, 1935, ch. 600, §4, 49 Stat. 680, provided that: “This joint resolution [enacting sections 5324 to 5326 of this title] shall be effective as of the beginning of the Seventy-fourth Congress, January 3, 1935.”

**§ 5325. Performance of duties by clerical assistants of dead or resigned Member of House**

Any clerical assistants who continue on the House pay rolls under the provisions of section

<sup>1</sup> See Inapplicability to Employees of Senate note below.

5324 of this title shall, while so continued, perform their duties under the direction of the Clerk of the House, and he is authorized and directed to remove from such pay rolls any such clerks who are not attending to the duties for which their services are continued.

(Aug. 21, 1935, ch. 600, § 2, 49 Stat. 680.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 92c of this title prior to editorial reclassification and renumbering as this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 5324 of this title.

#### § 5326. “Member of the House” defined

As used in section 5324 of this title the phrase “Member of the House” shall mean a Representative, Representative-elect, Delegate, Delegate-elect, Resident Commissioner, or Resident Commissioner-elect.

(Aug. 21, 1935, ch. 600, § 3, 49 Stat. 680.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 92d of this title prior to editorial reclassification and renumbering as this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 3, 1935, see section 4 of act Aug. 21, 1935, set out as a note under section 5324 of this title.

#### § 5327. Termination of service of Members of House

(a) Until otherwise provided by law, for purposes of sections 5324, 5325, and 5326 of this title, any termination of service during a term of office of a Member of the House that is not described in section 5324 of this title shall be treated as if such termination were described in such section.

(b) The Clerk of the House shall take such action as may be necessary to apply the principles of section 5325 of this title in the carrying out of sections 5327 to 5329 of this title.

(Pub. L. 97-51, § 101(c), Oct. 1, 1981, 95 Stat. 959.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 92b-1 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 1 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

#### § 5328. Authority to prescribe regulations

The Committee on House Oversight of the House of Representatives shall have authority

to prescribe regulations for the carrying out of sections 5327 to 5329 of this title.

(Pub. L. 97-51, § 101(c), Oct. 1, 1981, 95 Stat. 959; Pub. L. 104-186, title II, § 204(44), Aug. 20, 1996, 110 Stat. 1736.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 92b-2 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 2 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

##### AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight of the House of Representatives” for “House Administration”.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 5329. Vouchers

Payments under sections 5327 to 5329 of this title shall be made on vouchers approved by the Committee on House Oversight of the House of Representatives and signed by the chairman of such committee.

(Pub. L. 97-51, § 101(c), Oct. 1, 1981, 95 Stat. 959; Pub. L. 104-186, title II, § 204(44), Aug. 20, 1996, 110 Stat. 1736.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 92b-3 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 3 of House Resolution 804, Ninety-sixth Congress, Oct. 2, 1980, as enacted into permanent law by H.R. 4120, as reported July 9, 1981, which was enacted into permanent law by section 101(c) of Pub. L. 97-51.

##### AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight of the House of Representatives” for “House Administration”.

#### Statutory Notes and Related Subsidiaries

##### 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.

### SUBCHAPTER III—EXPENSES AND ALLOWANCES

#### § 5341. Representational allowance for Members of House of Representatives

##### (a) In general

There is established for the House of Representatives a single allowance, to be known as