

20, 1996, 110 Stat. 1739; Pub. L. 108-447, div. G, title I, § 102(d), Dec. 8, 2004, 118 Stat. 3174.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 117f of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 1989.

#### AMENDMENTS

2004—Subsecs. (b), (c). Pub. L. 108-447 redesignated subsec. (c) as (b), substituted “subsection (a)” for “subsections (a) and (b)”, and struck out heading and text of former subsec. (b). Text read as follows: “The Chief Administrative Officer is authorized to receive for deposit, amounts charged to any legislative branch entity, including the Congressional Budget Office and the Architect of the Capitol, for the provision of telephone or telecommunications services, except that no amount charged to the Members’ Representational Allowance shall be deposited in accordance with this section.”

1996—Subsec. (a). Pub. L. 104-186, § 204(64)(A), substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (b). Pub. L. 104-186, § 204(64)(B), substituted “Chief Administrative Officer” for “Clerk”, struck out “but not limited to Legislative Service Organizations,” after “entity, including”, and substituted “, except that no amount charged to the Members’ Representational Allowance” for “: *Provided*, That no amounts charged to the official expense allowances of Members of the House”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-447 applicable with respect to fiscal year 2005 and each succeeding fiscal year, see section 5538(f) of this title.

### § 5540. Disposal of used or surplus furniture and equipment by Chief Administrative Officer of House; procedure; deposit of receipts

(1) The Chief Administrative Officer of the House of Representatives may dispose of used equipment of the House of Representatives, by trade-in or sale, directly or through the General Services Administration. Any direct disposal under the preceding sentence shall be in accordance with normal business practice and shall be at fair market value. Receipts from disposals under the first sentence of this section (together with receipts from sale of transcripts, waste paper and other items provided by law, and receipts for missing or damaged equipment) shall be deposited in the Treasury for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the “appropriate account of the House of Representatives” shall be the account of the Chief Administrative Officer of the House of Representatives.

(2) If disposal in accordance with paragraph (1) is not feasible because of age, location, condition, or any other relevant factor, the Chief Administrative Officer may donate the equipment to the government of a State, to a local government, or to an organization that is described in

section 501(c)(3) of title 26 and exempt from tax under section 501(a) of title 26. Except as provided in paragraph (3), a donation under this paragraph—

(A) shall be at no cost to the Government; and

(B) may be made only if the used equipment has no recoverable value because disposal in accordance with paragraph (1), under the most favorable terms available to the Government, would result in a loss to the Government.

(3)(A) In the case of computer-related equipment, during fiscal year 1998 the Chief Administrative Officer may donate directly the equipment to a public elementary or secondary school of the District of Columbia without regard to whether the donation meets the requirements of the second sentence of paragraph (2), except that the total number of workstations donated as a result of this paragraph may not exceed 1,000.

(B) In this paragraph—

(i) the term “computer-related equipment” includes desktops, laptops, printers, file servers, and peripherals which are appropriate for use in public school education;

(ii) the terms “public elementary school” and “public secondary school” have the meaning given the terms elementary school and secondary school in section 7801 of title 20; and

(iii) the term “workstation” includes desktops and peripherals, file servers and peripherals, laptops and peripherals, printers and peripherals, and workstations and peripherals.

(C) The Committee on House Oversight shall have authority to issue regulations to carry out this paragraph.

(4) The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this subsection.

(5) As used in this section—

(A) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

(B) the term “used equipment” means such used or surplus equipment (including furniture and motor vehicles) as the Committee on House Oversight of the House of Representatives may prescribe by regulation.

(Pub. L. 99-500, § 101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, § 101(j), Oct. 30, 1986, 100 Stat. 3341-287; Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425; Pub. L. 101-163, title I, § 103(a), Nov. 21, 1989, 103 Stat. 1049; Pub. L. 104-186, title II, § 204(63), Aug. 20, 1996, 110 Stat. 1739; Pub. L. 105-55, title I, § 106, Oct. 7, 1997, 111 Stat. 1184; Pub. L. 107-68, title I, § 114(a), Nov. 12, 2001, 115 Stat. 572; Pub. L. 107-110, title X, § 1076(b), Jan. 8, 2002, 115 Stat. 2091; Pub. L. 114-95, title IX, § 9215(xx), Dec. 10, 2015, 129 Stat. 2184.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 117e of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 104(a) of title I of H.R. 5203 (see House Report 99-805 as filed in the House on

Aug. 15, 1986), as incorporated by reference in section 101(j) of Pub. L. 99-500 and 99-591, as amended by Pub. L. 100-71, to be effective as if enacted into law.

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

#### AMENDMENTS

2015—Par. (3)(B)(ii). Pub. L. 114-95 substituted “given the terms elementary school and secondary school in section 7801” for “given such terms in section 7801”.

2002—Par. (3)(B)(ii). Pub. L. 107-110 substituted “7801” for “8801”.

2001—Par. (1). Pub. L. 107-68, in third sentence, substituted “for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the House Recording Studio, the ‘appropriate account of the House of Representatives’ shall be the account of the Chief Administrative Officer of the House of Representatives” for “for credit to the appropriate account under the appropriation for ‘ALLOWANCES AND EXPENSES’ under the heading ‘CONTINGENT EXPENSES OF THE HOUSE’, and shall be available for expenditure in accordance with applicable law”.

1997—Par. (2). Pub. L. 105-55, §106(1), substituted “Except as provided in paragraph (3), a donation” for “A donation” in second sentence of introductory provisions.

Pars. (3) to (5). Pub. L. 105-55, §106(2), (3), added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

1996—Pars. (1), (2). Pub. L. 104-186, §204(63)(A), substituted “Chief Administrative Officer” for “Clerk”.

Pars. (3), (4)(B). Pub. L. 104-186, §204(63)(B), substituted “House Oversight” for “House Administration”.

1989—Par. (1). Pub. L. 101-163, §103(a)(1), (2), designated existing provisions as par. (1) and struck out at end “As used in this section, the term ‘used equipment’ means such used or surplus equipment (including furniture and motor vehicles) as the Committee on House Administration of the House of Representatives may prescribe by regulation.”

Pars. (2) to (4). Pub. L. 101-163, §103(a)(3), added pars. (2) to (4).

#### 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.

##### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of Title 20, Education.

##### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-68, title I, §114(b), Nov. 12, 2001, 115 Stat. 572, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2002 and each succeeding fiscal year.”

##### EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-163, title I, §103(c), Nov. 21, 1989, 103 Stat. 1050, provided that: “The amendments made by sub-

section (a) [amending this section] and the repeal made by subsection (b) [repealing section 59a of this title] shall take effect on October 1, 1989.”

##### EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425, provided that the amendment made by Pub. L. 100-71 is effective Oct. 18, 1986.

##### EFFECTIVE DATE

Section 104(c) of title I of H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), as incorporated by reference in Pub. L. 99-500, §101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(j), Oct. 30, 1986, 100 Stat. 3341-287, as amended by Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425, to be effective as if enacted into law, provided that: “This section and the amendment made by this section [enacting section 5540 of this title and amending section 84b of this title] shall take effect on October 1, 1986.”

##### SIMILAR PROVISIONS

Provisions similar to those in par. (1) of this section relating to disposition of receipts from sales of copies of transcripts were contained in former section 84b of this title.

#### § 5541. Fees for internal delivery in House of Representatives of nonpostage mail from outside sources

Effective with respect to fiscal years beginning with fiscal year 1995, in the case of mail from outside sources presented to the Chief Administrative Officer of the House of Representatives (other than mail through the Postal Service and mail with postage otherwise paid) for internal delivery in the House of Representatives, the Chief Administrative Officer is authorized to collect fees equal to the applicable postage. Amounts received by the Chief Administrative Officer as fees under the preceding sentence shall be deposited in the Treasury for credit to the account of the Office of the Chief Administrative Officer.

(Pub. L. 104-53, title I, §101, Nov. 19, 1995, 109 Stat. 520; Pub. L. 110-161, div. H, title I, §103(a), Dec. 26, 2007, 121 Stat. 2225.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 117j of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

##### AMENDMENTS

2007—Pub. L. 110-161 substituted “deposited in the Treasury for credit to the account of the Office of the Chief Administrative Officer” for “deposited in the Treasury as miscellaneous receipts”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110-161, div. H, title I, §103(b), Dec. 26, 2007, 121 Stat. 2225, provided that: “The amendments made by this section [amending this section] shall apply with respect to fiscal year 2008 and each succeeding fiscal year.”