

Editorial Notes

CODIFICATION

Section was formerly classified to section 83 of this title prior to editorial reclassification and renumbering as this section.

§ 5603. Symbol of office of Sergeant at Arms

The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

(Oct. 1, 1890, ch. 1256, § 2, 26 Stat. 645.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 79 of this title prior to editorial reclassification and renumbering as this section.

§ 5604. Duties of Sergeant at Arms

It shall be the duty of the Sergeant at Arms of the House of Representatives to attend the House during its sittings, to maintain order under the direction of the Speaker, and, pending the election of a Speaker or Speaker pro tempore, under the direction of the Clerk, execute the commands of the House and all processes issued by authority thereof, directed to him by the Speaker.

(Oct. 1, 1890, ch. 1256, § 1, 26 Stat. 645; Pub. L. 104-186, title II, § 204(25)(A), Aug. 20, 1996, 110 Stat. 1733.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 78 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Pub. L. 104-186 struck out “, keep the accounts for the pay and mileage of Members and Delegates, and pay them as provided by law” after “directed to him by the Speaker”.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Effective Feb. 1, 2010, functions of House of Representatives Office of Emergency Planning, Preparedness, and Operations transferred to Sergeant at Arms of the House of Representatives, see section 105 of title I of div. G of Pub. L. 112-74, set out as a note under former section 1301 of this title.

§ 5605. Law enforcement authority of Sergeant at Arms**(a) Law enforcement authority**

The Sergeant at Arms of the House of Representatives shall have the same law enforcement authority, including the authority to carry firearms, as a member of the Capitol Police. The law enforcement authority under the preceding sentence shall be subject to the requirement that the Sergeant at Arms have the qualifications specified in subsection (b).

(b) Qualifications

The qualifications referred to in subsection (a) are the following:

(1) A minimum of five years of experience as a law enforcement officer before beginning service as the Sergeant at Arms.

(2) Current certification in the use of firearms by the appropriate Federal law enforcement entity or an equivalent non-Federal entity.

(3) Any other firearms qualification required for members of the Capitol Police.

(c) Regulations

The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(Pub. L. 104-53, title III, § 313, Nov. 19, 1995, 109 Stat. 538.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 78 of this title prior to editorial reclassification and renumbering as this section.

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.

§ 5606. Arrangements for attendance at funeral of deceased House Members; payment of funeral expenses and expenses of attending funeral rites

Notwithstanding any other provision of law, the Sergeant at Arms of the House is authorized and directed on and after October 2, 1962, to make such arrangements as may be necessary for any committee of Members of the Senate and House of Representatives duly appointed to attend the funeral of a deceased Member of the House. Notwithstanding any other provision of law, there shall be paid out of the applicable accounts of the House of Representatives, under such rules and regulations as the Committee on House Oversight may prescribe, such sums as may be necessary to defray the funeral expenses of the deceased Member and to defray the expenses of such committee, the Sergeant at Arms of the House or a representative of his office, and the widow (or widower) or minor children, or both, of the deceased Member incurred in attending the funeral rites and burial of such Member.

(Pub. L. 87-730, § 101, Oct. 2, 1962, 76 Stat. 686; Pub. L. 104-186, title II, § 204(69), Aug. 20, 1996, 110 Stat. 1740.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 124 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriation Act, 1963.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Aug. 5, 1955, ch. 568, 69 Stat. 513.
 July 2, 1954, ch. 455, title I, 68 Stat. 403.
 Aug. 1, 1953, ch. 304, title I, 67 Stat. 325.

AMENDMENTS

1996—Pub. L. 104-186 substituted “applicable accounts of the House of Representatives” for “contingent fund of the House” and “House Oversight” 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 IX—CORRECTIONS CALENDAR OFFICE

§ 5621. Corrections Calendar Office

There is established in the House of Representatives an office to be known as the Corrections Calendar Office, which shall have the responsibility of assisting the Speaker in the management of the Corrections Calendar under the Rules of the House of Representatives. The Office shall have not more than five employees—

- (1) who shall be appointed by the Speaker, in consultation with the minority leader; and
- (2) whose annual rate of pay shall be established by the Speaker, but may not exceed 75 percent of the maximum annual rate under the general limitation specified by the order of the Speaker in effect under section 4532 of this title.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 74d of this title prior to editorial reclassification and renumbering as this section.

Section is based on House Resolution No. 7, One Hundred Fifth Congress, Jan. 7, 1997, which was enacted into permanent law by Pub. L. 105-55.

§ 5622. Lump sum allowance for Corrections Calendar Office

There shall be a lump sum allowance of \$300,000 per fiscal year for the salaries and expenses of the Corrections Calendar Office, established by section 5621 of this title. Such amount shall be allocated between the majority party and the minority party as determined by the Speaker, in consultation with the minority leader.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 74d-1 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 1 of House Resolution No. 130, One Hundred Fifth Congress, Apr. 24, 1997, which was enacted into permanent law by Pub. L. 105-55.

Statutory Notes and Related Subsidiaries

TRANSFER OF ALLOWANCE

For transfer of lump sum allowance under this section to Offices of Speaker and Minority Leader, see section 5624 of this title.

§ 5623. Effective date

The allowance under section 5622 of this title—

- (1) shall be available beginning with the month of May 1997;

- (2) through the end of September 1997, shall be paid from the applicable accounts of the House of Representatives on a pro rata basis; and

- (3) beginning with fiscal year 1998, shall be paid as provided in appropriations Acts.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 74d-2 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 2 of House Resolution No. 130, One Hundred Fifth Congress, Apr. 24, 1997, which was enacted into permanent law by Pub. L. 105-55.

§ 5624. Transfer of positions in Corrections Calendar Office

(a)(1) Effective October 1, 2003—

(A) 3 of the positions in the Corrections Calendar Office, and the functions associated with such positions, shall be transferred to the Office of the Speaker; and

(B) 2 of the positions in the Corrections Calendar Office, and the functions associated with such positions, shall be transferred to the Office of the Minority Leader.

(2) Notwithstanding any other provision of law, in the case of any individual who is an incumbent of a position transferred under paragraph (1) at the time of the transfer, the total number of days of annual leave and the total number of days of sick leave which were provided by the Corrections Calendar Office to the individual and which remain unused as of the date of the transfer shall remain available for the individual to use after the transfer.

(b) Effective with respect to fiscal year 2004 and each succeeding fiscal year, the lump sum allowance for salaries and expenses of the Corrections Calendar Office provided under House Resolution 130, One Hundred Fifth Congress, agreed to April 24, 1997, as enacted into permanent law by section 101 of the Legislative Branch Appropriations Act, 1998 (2 U.S.C. 74d-1 et seq.) [now 2 U.S.C. 5622 and 5623], is transferred as follows:

- (1) 63.5 percent of such allowance shall be transferred to the Office of the Speaker.

- (2) 36.5 percent of such allowance shall be transferred to the Office of the Minority Leader.

(Pub. L. 108-83, title I, § 106, Sept. 30, 2003, 117 Stat. 1018.)