

rent operations, the implementation of new policies and procedures, and future plans for each function.

8. The Clerk shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations.

§ 647e. Cooperation with others.

Clauses 7 and 8 were added in the 104th Congress (sec. 201(b), H. Res. 6, Jan. 4, 1995, p. —).

RULE IV.

DUTIES OF THE SERGEANT-AT-ARMS.

1. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, to maintain order under the direction of the Speaker or Chairman, 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.

§ 648. Sergeant-at-Arms enforces authority of House.

This clause was adopted in 1789, with additions and amendments in 1838, 1877, 1890 (I, 257), April 5, 1911 (VI, 29) and 1971. Amendments adopted in the 92d Congress clarified the responsibility of the Sergeant-at-Arms to keep the accounts for the pay and mileage of the Delegates from the District of Columbia, Guam, and the Virgin Islands and the Resident Commissioner from Puerto Rico as well as for Members (H. Res. 5, Jan. 22, 1971, p. 144; H. Res. 1153, Oct. 13, 1972, pp. 36013-15). In the 94th Congress, the provisions of House Resolution 732, directing the Sergeant-at-Arms to enter into agreements with State officials, with the approval of the Committee on House Administration (now House Oversight), to withhold State income taxes from the pay of each Member subject to such State income tax and requesting such withholding, were enacted into permanent law (90 Stat. 1448; 2 U.S.C. 60e-1b). Former provisions of this clause directing the Sergeant-at-Arms to keep the accounts for the pay and mileage of Members and Delegates and the Resident Commissioner

from Puerto Rico were stricken by section 4 of the House Administrative Reform Resolution of 1992 (H. Res. 423, 102d Cong., Apr. 9, 1992, p. —), to relieve the Sergeant-at-Arms of functions to be transferred to the Director of Non-legislative and Financial Services pursuant to section 7 of that resolution (see § 651e, *infra*). During the 102d Congress, the House adopted a resolution presented by the Majority Leader as a question of the privileges of the House to terminate all bank and check-cashing operations in the Office of the Sergeant-at-Arms and direct the Committee on Standards of Official Conduct to review GAO audits of such operations (Oct. 3, 1991, p. —). When rule IV was rewritten entirely in the 104th Congress, clause 1 was restated without change (sec. 201(c), H. Res. 6, Jan. 4, 1995, p. —).

The Sergeant-at-Arms is authorized to make payments from the contingent fund of the House, under rules prescribed by the Committee on House Oversight, to defray the expenses of the funeral of a deceased Member of the House and the expenses of any delegation of Members of Congress duly appointed to attend (76 Stat. 686; 2 U.S.C. 124).

At the organization of the House in a new Congress the election of Speaker occurs before the adoption of rules. Therefore this rule is not in force at that time, and in case of necessity a special rule may be adopted conferring the authority, as was done in 1849 and 1859 (I, 101, 102).

Duties are imposed on the Sergeant-at-Arms by law (I, 258): Control of Capitol police; and the making up of the roll of Members-elect and presiding over the organization of a new Congress in case of vacancy in the office of Clerk, or the absence or disability of that officer (2 U.S.C. 26). The death of the Sergeant-at-Arms being announced, the House passed appropriate resolutions and adjourned as a mark of respect (VI, 32; July 8, 1953, p. 8263). The Clerk having died, and in the absence of the Sergeant-at-Arms, the Doorkeeper of the 79th Congress presided at organization of the 80th Congress (Jan. 3, 1947, p. 33). In the 83d Congress the Sergeant-at-Arms having died, the Clerk was elected to serve temporarily both as Clerk and Sergeant-at-Arms (July 8, 1953, p. 8242), and upon resignation by the Clerk from his additional position of Sergeant-at-Arms, the Speaker, pursuant to 2 U.S.C. 75a-1, appointed a temporary Sergeant-at-Arms (Jan. 6, 1954, p. 8). The Sergeant-at-Arms having resigned in the 96th Congress, the Speaker appointed a temporary Sergeant-at-Arms pursuant to the statute (Feb. 28, 1980, pp. 4349-50); and the same occurred in the 102d Congress (Mar. 12, 1992, p. —). Instance where the Senate by resolution removed its Sergeant-at-Arms (VI, 37).

§ 650. The mace the symbol of the Sergeant-at-Arms' office.

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

RULES OF THE HOUSE OF REPRESENTATIVES

Rule IV.

§ 650a-§ 650b

This clause was adopted in 1789 (II, 1346). When rule IV was rewritten entirely in the 104th Congress, the clause was restated without change (sec. 201(c), H. Res. 6, Jan. 4, 1995, p. —). An attempt to enforce order without the mace gave rise to a question of privilege (II, 1347). Extreme disorder arising on the floor, the Speaker directed the Sergeant-at-Arms to enforce order with the mace (VI, 258; VIII, 2530).

3. He shall enforce strictly the rules relating to the privileges of the Hall and be responsible to the House for the official conduct of his employees.

§ 650a. Doorkeeping.

4. He shall allow no person to enter the room over the Hall of the House during its sittings; and fifteen minutes before the hour of the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain, and kept so until ten minutes after adjournment.

Clauses 3 and 4 were added in the 104th Congress to transfer functions incident to the abolishment of the Office of the Doorkeeper (sec. 201(c), H. Res. 6, Jan. 4, 1995, p. —). For the history of the Office of the Doorkeeper, see § 651d, *infra*.

5. In addition to any other reports required by the Speaker or the Committee on House Oversight, the Sergeant-at-Arms shall report to the Committee on House Oversight not later than forty-five days following the close of each semiannual period ending June 30 or on December 31 on the financial and operational status of each function under the jurisdiction of the Sergeant-at-Arms. Each report shall include financial statements, a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

§ 650b. Semi-annual reports.

6. The Sergeant-at-Arms shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits of financial records and administrative operations.

§ 650c. Cooperation with others.

Clauses 5 and 6 were added in the 104th Congress (sec. 201(c), H. Res. 6, Jan. 4, 1995, p. —).

RULE V.

CHIEF ADMINISTRATIVE OFFICER.

1. The Chief Administrative Officer of the House shall have operational and financial responsibility for functions as assigned by the Speaker and the Committee on House Oversight, and shall be subject to the policy direction and oversight of the Speaker and the Committee on House Oversight.

§ 651a. Duties.

2. In addition to any other reports required by the Speaker or the Committee on House Oversight, the Chief shall report to the Committee on House Oversight not later than forty-five days following the close of each semiannual period ending on June 30 or December 31 on the financial and operational status of each function under the jurisdiction of the Chief. Each report shall include financial statements, a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

§ 651b. Semi-annual reports.

3. The Chief shall fully cooperate with the appropriate offices and persons in the performance of reviews and audits

§ 651c. Cooperation with others.