

retary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act as now in force or as hereafter amended, and the purposes for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose. The President shall determine the terms and conditions of any advances or loans made to the Fund pursuant to this section. . . .

The amount of such obligations also may not exceed the limitations specified in section 203(a) of this Act except that, to the extent that assets of the Fund other than capitalization provided pursuant to section 203(a) are available, obligations may be incurred beyond such limitations. . . .

THE PRESIDING OFFICER:<sup>(11)</sup> The Chair has not had an opportunity to study the point of order. After discussion with the Parliamentarian, the Chair believes it may be necessary to examine the precedents in connection with this matter.

The Chair wonders whether the chairman of the Foreign Relations Committee has any comment to make in connection with this matter.

MR. [J. WILLIAM] FULBRIGHT [of Arkansas]: Mr. President, I think the precedents are so clear that the Chair would not need to study the matter. There have been many precedents. The form of this provision is precisely the same as the language used 2 years ago when the Senate voted to approve this very operation of borrowing through the public debt transactions. . . .

THE PRESIDING OFFICER: In view of the precedents of other legislation which has passed this body, including

11. Frank E. Moss (Utah).

revolving funds created thereunder, even though the point of order was not squarely raised before, the Chair feels disposed to follow the precedents, and overrules the point of order.

## § 5. Contingent Fund Expenditures

Money appropriated for the contingent fund of the House is used for such miscellaneous purposes as employees salaries or salary increases, including those of committee investigative personnel; certain allowances<sup>(12)</sup> house-keeping actions<sup>(13)</sup> and the like. Simple House resolutions, which provide for expenditures from the contingent fund, are reported by the Committee on House Administration and called up as privileged.<sup>(14)</sup>

On occasion, a resolution not formally reported by the Committee on House Administration, providing for payment from the contingent fund of salaries of in-

12. On one occasion, expenses incident to a special session of Congress, including mileage for the Vice President, Senators, and Representatives, and payments to pages, were provided for by appropriations made in a joint resolution. See §8.21, *infra*.

13. See *Procedure in the U.S. House of Representatives*, Ch. 6 §§10–13 (4th ed.).

14. See §5.1, *infra*.

vestigative personnel of standing and select committees for a three months period (pending adoption of annual committee funding resolution), is called up and agreed to by unanimous consent.<sup>(15)</sup>

The Committee on House Administration formerly had authority to fix allowances without subsequent House approval. Such authority, except for cost of living adjustments, was withdrawn on July 1, 1976, by a House resolution thereafter enacted into law. Subsequent House approval is presently required for Committee on House Administration orders fixing allowances beyond the 94th Congress.<sup>(16)</sup>

***Privileged Resolution***

**§ 5.1 A resolution reported by the Committee on House Administration providing for an expenditure from the contingent fund is called up as privileged.**

On June 16, 1965,<sup>(1)</sup> a resolution<sup>(2)</sup> authorizing each Member

- 15. See *Procedure in the U.S. House of Representatives* Ch. 25 §4.4 (4th ed.)
- 16. See *Procedure in the U.S. House of Representatives* Ch. 25 §4.5 (4th ed.)
- 1. 111 CONG. REC. 13799, 89th Cong. 1st Sess.
- 2. H. Res. 416.

and the Resident Commissioner to employ a “summer Congressional Intern” and permitting payment from the contingent fund of amounts required to carry out the resolution, was reported by the Committee on House Administration and called up as privileged:

MR. [SAMUEL N.] FRIEDEL [of Maryland]: Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 416, with amendments thereto, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 416

*Resolved*, That (a) notwithstanding any other provision of law, each Member of the House of Representatives and the Resident Commissioner from Puerto Rico are authorized to hire . . . one additional employee. . . . For this purpose each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall have available for payment to such intern a gross allowance of \$750 . . . payable from the contingent fund of the House until otherwise provided by law.

In response to a parliamentary inquiry, Speaker John W. McCormack, of Massachusetts, indicated that such a report, privileged under Rule XI, may be called up for consideration on the same day reported, and unanimous consent is not required.

*Parliamentarian’s Note:* Such reports are now subject to the

three-day layover requirement of Rule XI clause 2(l)(6).

**§ 5.2 A resolution reported by the Committee on House Administration, providing for payment from the contingent fund of additional compensation for certain positions created by House resolution, was called up as privileged.**

On Aug. 5, 1970,<sup>(3)</sup> the following proceedings took place:

MR. [WAYNE L.] HAYS [of Ohio]: Mr. Speaker, by direction of the Committee on House Administration, I [call up] a privileged report (Rept. No. 91-1378) on the resolution (H. Res. 1117) relating to the compensation of two positions created by House Resolution 543, 89th Congress, and ask for immediate consideration of the resolution.

The Clerk read the resolution as follows:

H. RES. 1171

*Resolved*, That, until otherwise provided by law, effective as of January 1, 1970, the per annum (gross) rate of compensation (basic compensation plus additional compensation authorized by law) of each of the two positions referred to in House Resolution 543, Eighty-ninth Congress, shall not exceed the annual rate of basic pay for level IV of the Executive Schedule of section 5315 of

3. 116 CONG. REC. 27449-51, 91st Cong. 2d Sess.

4. 108 CONG. REC. 11314, 87th Cong. 2d Sess.

See also 109 CONG. REC. 11462, 88th Cong. 1st Sess., June 25, 1963, for a

title 5, United States Code. The contingent fund of the House of Representatives is made available to carry out the purposes of this resolution.

[The resolution was rejected.]

***Surplus Contingent Funds***

**§ 5.3 The House agreed to a resolution authorizing the transfer of surplus 1960 contingent funds to liquidate 1962 contingent fund obligations of the House.**

On June 21, 1962,<sup>(4)</sup> the following proceedings took place:

MR. [SAMUEL N.] FRIEDEL [of Maryland]: Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 694) authorizing the transfer of certain funds within the contingent fund of the House of Representatives, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That such funds as may be necessary to liquidate the 1962 obligations may be transferred, within the contingent fund of the House of Representatives, from "Miscellaneous Items, 1960", to "Special and Select Committees, 1962".

The resolution was agreed to.

A motion to reconsider was laid on the table.

resolution authorizing transfer of surplus 1961 contingent funds to liquidate 1963 contingent fund obligations of the House.