



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON 25

June 10, 1948.

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Librarian of Congress,

Library of Congress.

My dear Mr. Evans:

There has been considered your letter of May 20, 1948, as follows:

"The Legislative Branch Appropriation Act, 1948, under "Salaries, Library Proper" contains the following provision:

"Provided, That hereafter the gross salary of any position in the Library which is augmented by payment of an honorarium from other than appropriated funds shall not exceed such rate as, combined with such honorarium, will not exceed \$10,000."

"In presenting the budget estimates of the Library for fiscal 1949, the deletion of this provision was requested, and the Legislative Branch Appropriation Bill for fiscal year 1949 was passed by the House with this provision deleted. However, we were subsequently informed that regardless of the deletion, the above quoted restrictive provision continues in force during future years unless specifically repealed. A question is raised as to the correctness of this interpretation."

While it is a general rule that a provision contained in an annual appropriation act may not be construed to be permanent legislation unless the language used therein, or the nature of the provision, renders it clear that such was the intention of the Congress, the use of the word "hereafter" has been construed generally to indicate permanency. 2 Comp. Gen. 535; 5 id. 810, 10 id. 120; 26 id. 354, (at page 357). Accordingly, there appears justified the conclusion that the

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proviso referred to constitutes permanent legislation and that the
omission of a similar provision in the 1949 appropriation bill would
not remove the restriction covered by said proviso.

Respectfully,

(Signed) Lindsay C. Warren

Comptroller General
of the United States.

