

§ 61f-7. Abolition of statutory positions in Office of Sergeant at Arms and Doorkeeper of Senate; authority to establish and fix compensation for positions

Effective October 1, 1981, all statutory positions in the Office of the Sergeant at Arms and Doorkeeper of the Senate (other than the positions of the Sergeant at Arms and Doorkeeper of the Senate, Deputy Sergeant at Arms and Doorkeeper, and Administrative Assistant) are abolished, and in lieu of the positions hereby abolished the Sergeant at Arms and Doorkeeper of the Senate is authorized to establish such number of positions as he deems appropriate and appoint and fix the compensation of employees to fill the positions so established; except that the annual rate of compensation payable to any employee appointed to fill any position established by the Sergeant at Arms and Doorkeeper of the Senate shall not, for any period of time, be in excess of \$1,000 less than the annual rate of compensation of the Sergeant at Arms and Doorkeeper of the Senate for that period of time; and except that nothing in this section shall be construed to affect any position authorized by statute, if the compensation for such position is to be paid from the contingent fund of the Senate.

(Pub. L. 97-51, § 116, Oct. 1, 1981, 95 Stat. 963.)

TRANSFER OF JURISDICTION OF SENATE CHAMBER PUBLIC ADDRESS SYSTEM FROM ARCHITECT OF CAPITOL TO SERGEANT AT ARMS AND DOORKEEPER OF SENATE

Pub. L. 102-90, title I, § 8, Aug. 14, 1991, 105 Stat. 451, provided that:

“(a) Effective October 1, 1991, the jurisdiction and control of the Senate chamber public address system is transferred from the Architect of the Capitol to the Sergeant at Arms and Doorkeeper of the Senate. In the case of any employee of the Architect of the Capitol transferred during fiscal year 1992 to the Sergeant at Arms and Doorkeeper of the Senate as an audio operator—

“(1) in the case of days of annual leave to the credit of any such employee as of the date such employee is transferred, the Architect of the Capitol is authorized to make payment to each such employee for that annual leave, and no such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation; and

“(2) for purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e), (n), and (q) of such section.

“(b) The Architect of the Capitol shall provide the maintenance of the Senate chamber public address system until such system is replaced by a combined public address and audio broadcast system.”

TRANSFER OF JURISDICTION OF ELEVATORS IN CAPITOL BUILDING UNDER CONTROL OF SENATE FROM ARCHITECT OF CAPITOL TO SERGEANT AT ARMS AND DOORKEEPER OF SENATE

Pub. L. 102-90, title I, § 9, Aug. 14, 1991, 105 Stat. 452, provided that:

“(a) Subject to subsection (b), those employees of the Architect of the Capitol engaged in operating elevators in that part of the United States Capitol Building under the control and jurisdiction of the United States Senate, together with the elevator operating functions performed by such employees, effective October 1, 1991, shall be transferred to the jurisdiction of the Sergeant at Arms and Doorkeeper of the Senate.

“(b) The Sergeant at Arms and Doorkeeper of the Senate is authorized to enter into an agreement or other arrangement with the Architect of the Capitol regarding the supervision of such employees.”

INCREASES IN COMPENSATION

Increases in compensation for Senate officers and employees under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of President pro tempore of the Senate, set out as notes under section 60a-1 of this title.

§ 61f-8. Use by Sergeant at Arms and Doorkeeper of Senate of individual consultants or organizations, and department and agency personnel

For each fiscal year (beginning with the fiscal year which ends September 30, 1982), the Sergeant at Arms and Doorkeeper of the Senate is hereby authorized to expend from the account for the Sergeant at Arms and Doorkeeper of the Senate, within the contingent fund of the Senate, an amount not to exceed \$300,000:

(1) the procurement of the services, on a temporary basis, of individual consultants, or organizations thereof, with the prior consent of the Committee on Rules and Administration; such services may be procured by contract with the providers acting as independent contractors, or in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate; and any such contract shall not be subject to the provisions of section 6101 of title 41 or any other provision of law requiring advertising; and

(2) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable basis (with reimbursement payable at the end of each calendar quarter for services rendered during such quarter) of the services of personnel of any such department or agency.

Payments made under this section shall be made upon vouchers approved by the Sergeant at Arms and Doorkeeper of the Senate.

(Pub. L. 97-51, § 117, Oct. 1, 1981, 95 Stat. 964; Pub. L. 97-257, title I, § 103, Sept. 10, 1982, 96 Stat. 849; Pub. L. 98-367, title I, § 7, July 17, 1984, 98 Stat. 475; Pub. L. 100-458, title I, § 7, Oct. 1, 1988, 102 Stat. 2162.)

CODIFICATION

In par. (1), “section 6101 of title 41” substituted for “section 5 of title 41, United States Code,” on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

1988—Pub. L. 100-458 substituted “from the account for the Sergeant at Arms and Doorkeeper of the Senate, within the contingent fund of the Senate, an amount not to exceed \$300,000:” for “from the contingent fund of the Senate an amount not to exceed \$210,000 for:”.

1984—Pub. L. 98-367 substituted “\$210,000” for “\$60,000”.

1982—Par. (1). Pub. L. 97-257 substituted “the procurement of the services, on a temporary basis, of individ-

ual consultants, or organizations thereof, with the prior consent of the Committee on Rules and Administration; such services may be procured by contract with the providers acting as independent contractors, or in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate; and any such contract shall not be subject to the provisions of section 5 of title 41 or any other provision of law requiring advertising; and” for “the procurement of individual consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate with the prior consent of the Committee on Rules and Administration; and”.

§ 61f-9. Employment of personnel by Sergeant at Arms and Doorkeeper of Senate at daily rates of compensation; authorization; limitation on amount of compensation

The Sergeant at Arms and Doorkeeper of the Senate, in carrying out the duties of his office, is authorized to employ personnel at daily rates of compensation; no individual so employed shall be paid at a daily rate of compensation which is in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate; and payments under authority of this section shall be made from the account, within the contingent fund of the Senate, for the “Sergeant at Arms and Doorkeeper of the Senate”, upon vouchers approved by the Sergeant at Arms and Doorkeeper of the Senate. (Pub. L. 98-367, title I, § 6, July 17, 1984, 98 Stat. 475.)

CODIFICATION

Section is from the Congressional Operations Appropriation Act, 1985, which is title I of the Legislative Branch Appropriations Act, 1985.

§ 61f-10. Procurement of temporary help

(a) In general

(1) Subject to regulations that the Committee on Rules and Administration of the Senate may prescribe, the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate may procure temporary help services from a private sector source that offers such services. Each procurement of services under this subsection shall be for no longer than 30 days.

(2) A person performing services procured under paragraph (1) shall not, during the period of the performance of the services, be an employee of the United States or be considered to be an employee of the United States for any purpose.

(b) Effective date

This section shall take effect on October 1, 2001, and shall apply in fiscal year 2002 and successive fiscal years.

(Pub. L. 107-68, title I, § 109, Nov. 12, 2001, 115 Stat. 569.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 2002, which is title I of the Legislative Branch Appropriations Act, 2002.

§ 61f-11. Provision of services and equipment on a reimbursable basis

(a) In general

Subject to the approval of the Committee on Rules and Administration of the Senate, the Sergeant at Arms and Doorkeeper of the Senate may provide services and equipment funded by appropriations available to the Senate to persons and entities not funded by such appropriations.

(b) Reimbursement required

The provision of services and equipment under subsection (a) of this section shall be on a reimbursable basis.

(c) Crediting of reimbursed amounts

In the case of services or equipment provided under subsection (a) of this section that were procured using amounts available to the Sergeant at Arms and Doorkeeper of the Senate in the account for Contingent Expenses, Sergeant at Arms and Doorkeeper of the Senate, amounts received under subsection (b) of this section as reimbursement for the provision of such services or equipment shall be credited to that account or, if applicable, to any subaccount of that account. Amounts credited to any such account or subaccount shall be merged with amounts in that account or subaccount and shall be available to the same extent, and subject to the same terms and conditions, as amounts in that account or subaccount.

(d) Effective date

This section shall apply to fiscal year 2004 and each succeeding fiscal year.

(Pub. L. 108-83, title I, § 9, Sept. 30, 2003, 117 Stat. 1013.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2004.

§ 61f-12. Treatment of electronic services provided by Sergeant at Arms

(a) In general

The Office of the Sergeant at Arms and Doorkeeper of the United States Senate, and any officer, employee, or agent of the Office, shall not be treated as acquiring possession, custody, or control of any electronic mail or other electronic communication, data, or information by reason of its being transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part by the Office.

(b) Effective date

This section shall apply to fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108-447, div. G, title I, § 10, Dec. 8, 2004, 118 Stat. 3170; Pub. L. 109-289, div. B, title II, § 20701(c)(1), as added Pub. L. 110-5, § 2, Feb. 15, 2007, 121 Stat. 38.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.