

## PRIOR PROVISIONS

A prior section 61k, Pub. L. 95-26, title I, May 4, 1977, 91 Stat. 79, authorized President pro tempore of Senate to appoint and fix compensation of an Administrative Assistant, a Legislative Assistant, and an Executive Secretary. These positions were abolished effective Oct. 1, 1979, by section 101 of Pub. L. 96-38.

## INCREASES IN COMPENSATION

Increases in compensation for Senate officers and employees under authority of 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.

**§ 61l. Appointment and compensation of Administrative Assistant, Legislative Assistant, and Executive Secretary for Deputy President pro tempore of Senate**

Effective April 1, 1977, the Deputy President pro tempore is authorized to appoint and fix the compensation of an Administrative Assistant at not to exceed \$47,595 per annum; a Legislative Assistant at not to exceed \$40,080 per annum, and an Executive Secretary at not to exceed \$23,380 per annum.

(Pub. L. 95-26, title I, May 4, 1977, 91 Stat. 80.)

## CODIFICATION

Section is from the Supplemental Appropriations Act, 1977.

## INCREASES IN COMPENSATION

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

**§ 62. Limitation on compensation of Sergeant at Arms and Doorkeeper of Senate**

The Sergeant at Arms and Doorkeeper of the Senate shall receive, directly or indirectly, no fees or other compensation or emolument whatever for performing the duties of the office, or in connection therewith, other than the salary prescribed by law.

(June 20, 1874, ch. 328, 18 Stat. 85; Mar. 3, 1875, ch. 129, 18 Stat. 344.)

**§ 62a. Omitted**

## CODIFICATION

Section, act May 1, 1947, ch. 49, title I, 61 Stat. 58, accorded Sergeant at Arms of Senate the same priority as executive agencies under the Surplus Property Act of 1944 (50 App. U.S.C. 1611-1648). The Surplus Property Act of 1944 was repealed by act June 30, 1949, ch. 288, title V, § 503, 63 Stat. 399, and the priorities thereunder expired Dec. 31, 1949.

**§ 62b. Transferred**

## CODIFICATION

Section, act July 26, 1949, ch. 366, 63 Stat. 482, which related to audits and reports by Comptroller General of fiscal records of House Sergeant at Arms, was transferred to section 81a of this title, and was subsequently repealed by Pub. L. 104-186.

**§ 63. Repealed. Pub. L. 104-186, title II, § 204(21), Aug. 20, 1996, 110 Stat. 1733**

Section, R.S. § 73, related to duties of Doorkeeper of Senate. Provisions of R.S. § 73 which related to duties

of Doorkeeper of House of Representatives were classified to section 76 of this title prior to repeal by Pub. L. 104-186.

**§ 64. Omitted**

## CODIFICATION

Section, R.S. § 56, authorizing payment on requisitions drawn by Secretary of Senate of moneys appropriated for compensation of Senate members and officers and for contingent Senate expenses, was omitted in view of the abolition of appropriation for the fund provided for in this section on and after July 1, 1935, and the authorization of annual definite appropriations by act June 26, 1934, ch. 756, § 14, 48 Stat. 1230.

**§ 64-1. Employees of Senate Disbursing Office; designation by Secretary of Senate to administer oaths and affirmations**

The Secretary of the Senate is on and after November 1, 1973, authorized to designate, in writing, employees of the Disbursing Office of the Senate to administer oaths and affirmations, with respect to matters relating to that Office, authorized or required by law or rules or orders of the Senate (including the oath of office required by section 3331 of title 5). During any period in which he is so designated, any such employee may administer such oaths and affirmations.

(Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 532.)

**§ 64-2. Transfers of funds by Secretary of Senate; approval of Committee on Appropriations**

During any fiscal year (commencing with the fiscal year beginning October 1, 1982) the Secretary of the Senate is authorized to make such transfers between appropriations of funds available for disbursement by him during such year, subject to the approval of the Committee on Appropriations of the Senate.

(Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189.)

## CODIFICATION

Section is based on section 104 of S. 2939, Ninety-seventh Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in section 101(e) of Pub. L. 97-276, to be effective as if enacted into law.

## PRIOR PROVISIONS

A prior section 64-2, Pub. L. 95-26, title I, § 108, May 4, 1977, 91 Stat. 85, provided that, on and after May 4, 1977, Secretary of Senate was authorized to transfer funds between appropriations with approval of a resolution of Senate.

## TRANSFER OF FUNDS BY SECRETARY OF SENATE

Provisions authorizing Secretary of Senate, as Disbursing Officer of Senate, to make such transfers between appropriations of funds available for disbursement by him for specific fiscal years, as he deems appropriate, subject to customary reprogramming procedures of Senate Committee on Appropriations were contained in the following appropriation acts:

Pub. L. 97-51, § 113, Oct. 1, 1981, 95 Stat. 963.

Pub. L. 97-12, title I, § 107, June 5, 1981, 95 Stat. 62.

**§ 64-3. Transferred**

## CODIFICATION

Section, Pub. L. 95-26, title I, § 111, May 4, 1977, 91 Stat. 87; Pub. L. 108-7, div. H, title I, § 1018(h)(3), Feb. 20, 2003, 117 Stat. 369, which related to reimbursement for

Capitol Police salaries paid by Capitol Police for service at Federal Law Enforcement Training Center, was transferred to section 1905a of this title.

**§ 64a. Death, resignation, or disability of Secretary and Assistant Secretary of Senate; Financial Clerk deemed successor as disbursing officer**

For any period during which both the Secretary and the Assistant Secretary of the Senate are unable (because of death, resignation, or disability) to discharge such Secretary's duties as disbursing officer of the Senate, the Financial Clerk of the Senate shall be deemed to be the successor of such Secretary as disbursing officer.

(Mar. 3, 1926, ch. 44, §1, 44 Stat. 162; Pub. L. 91-105, §2, Oct. 31, 1969, 83 Stat. 169; Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 810; Pub. L. 92-310, title II, §220(g), June 6, 1972, 86 Stat. 204; Pub. L. 98-367, title I, §2(a), July 17, 1984, 98 Stat. 474.)

AMENDMENTS

1984—Pub. L. 98-367 substituted "For any period during which both the Secretary and the Assistant Secretary of the Senate are unable (because of death, resignation, or disability) to discharge such Secretary's duties as disbursing officer of the Senate, the Financial Clerk of the Senate shall be deemed to be the successor of such Secretary as disbursing officer" for "In the event of the death, resignation, or disability of the Secretary of the Senate, the Financial Clerk of the Senate shall be deemed his successor as a disbursing officer and he shall serve as such disbursing officer until the end of the quarterly period during which a new Secretary shall have been elected and qualified, or such disability shall have been ended".

1972—Pub. L. 92-310 struck out provisions which related to the bond of the Financial Clerk.

1970—Pub. L. 91-382 substituted "Financial Clerk" for "Comptroller".

1969—Pub. L. 91-105 substituted the Comptroller of the Senate for the Financial Clerk of the Senate as the successor of the Secretary of the Senate in the event of the death, resignation, or disability of the Secretary.

EFFECTIVE DATE OF 1970 AMENDMENT

Pub. L. 91-382 provided that the amendment made by Pub. L. 91-382 is effective Aug. 1, 1970.

CERTIFICATION OF DISABILITY

Secretary of the Senate to be considered as disabled for purposes of this section only during such period of time as the Majority and Minority Leaders and the President pro tempore of the Senate certify jointly to the Senate that he is unable to perform his duties, see section 64b of this title.

**§ 64a-1. Compensation of Financial Clerk of Senate**

The Financial Clerk of the Senate may be paid at a maximum annual rate of compensation not to exceed \$39,000.

(Pub. L. 93-371, §4, Aug. 13, 1974, 88 Stat. 429; Pub. L. 94-59, title I, §105, July 25, 1975, 89 Stat. 275.)

AMENDMENTS

1975—Pub. L. 94-59 substituted "\$39,000" for "\$37,620", effective July 1, 1975.

EFFECTIVE DATE

Section effective July 1, 1974, see section 4 of Pub. L. 93-371, set out in part as an Effective Date of 1974 Amendment note under section 61a of this title.

1974 ADJUSTMENT IN COMPENSATION NOT TO SUPERSEDE ADJUSTMENTS IN COMPENSATION OR LIMITATIONS BY PRESIDENT PRO TEMPORE OF THE SENATE

Adjustment in compensation by Pub. L. 93-371 not to supersede order of President pro tempore of the Senate authorizing higher rate of compensation or any authority of the President pro tempore to adjust rates of compensation or limitations under section 4 of the Federal Pay Comparability Act of 1970, see section 4 of Pub. L. 93-371, set out in part as a note under section 61a of this title.

INCREASES IN COMPENSATION

Increases in compensation for Senate officers and employees under authority of 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.

**§ 64b. Death, resignation, or disability of Secretary of Senate; Assistant Secretary of Senate to act as Secretary; written designation of absent status**

In the event of the death, resignation, or disability of the Secretary of the Senate, the Assistant Secretary of the Senate shall act as Secretary in carrying out the duties and responsibilities of that office in all matters until such time as a new Secretary shall have been elected and qualified or such disability shall have been ended. For purposes of this section and section 64a of this title, the Secretary of the Senate shall be considered as disabled only during such period of time as the Majority and Minority Leaders and the President pro tempore of the Senate certify jointly to the Senate that the Secretary is unable to perform his duties. In the event that the Secretary of the Senate is absent or is to be absent for reasons other than disability (as provided in this paragraph), and makes a written designation that he is or will be so absent, the Assistant Secretary shall act during such absence as the Secretary in carrying out the duties and responsibilities of the office in all matters. The designation may be revoked in writing at any time by the Secretary, and is revoked whenever the Secretary making the designation dies, resigns, or is considered disabled in accordance with this paragraph.

(Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 635; Pub. L. 93-371, §1, Aug. 13, 1974, 88 Stat. 427; Pub. L. 98-367, title I, §2(b), July 17, 1984, 98 Stat. 474.)

AMENDMENTS

1984—Pub. L. 98-367 struck out provisions relating to exception for duties of the Secretary as disbursing officer of the Senate.

1974—Pub. L. 93-371 inserted provisions relating to the absence of Secretary of Senate for reasons other than disability and the written designation of such absent status.

**§ 65. Repealed. Pub. L. 92-310, title II, §220(a), (c), June 6, 1972, 86 Stat. 204**

Section, R.S. §§57, 59; acts Mar. 2, 1895, ch. 177, §5, 28 Stat. 807; Oct. 31, 1951, ch. 655, §13, 65 Stat. 715, required Secretary of Senate to give a bond in the sum of \$20,000.