

**(e) Omitted****(f) Authorization of appropriations**

There are authorized to be appropriated for fiscal year 2003 and each succeeding fiscal year such sums as may be necessary to carry out this section.

**(g) Effective date**

This section shall take effect on September 30, 2003.

(Pub. L. 108-83, title I, §103, Sept. 30, 2003, 117 Stat. 1016.)

## CODIFICATION

Section is comprised of section 103 of Pub. L. 108-83. Subsec. (e) of section 103 of Pub. L. 108-83 amended section 130-1 of this title.

Section is from the Legislative Branch Appropriations Act, 2004.

**§ 130a. Nonpay status for Congressional employees studying under Congressional staff fellowships**

(a) With respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, and

(2) who, on or after January 1, 1963 shall have been separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association,

the period of time covered by such fellowship shall be held and considered to be service (in a nonpay status) in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of the provisions of law specified in subsection (b) of this section, if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives by records or other evidence.

(b) The provisions of law referred to in subsection (a) of this section are—

(1) subchapter III (relating to civil service retirement) of chapter 83 of title 5;

(2) chapter 87 (relating to Federal employees group life insurance) of title 5; and

(3) chapter 89 (relating to Federal employees group health insurance) of title 5.

(Pub. L. 89-379, Mar. 30, 1966, 80 Stat. 94; Pub. L. 104-186, title II, §204(73), Aug. 20, 1996, 110 Stat. 1741.)

## AMENDMENTS

1996—Pub. L. 104-186 designated existing provisions as subsec. (a), in par. (1) substituted “Chief Administra-

tive Officer” for “Clerk”, in provisions following par. (2) substituted “the purposes of the provisions of law specified in subsection (b) of this section, if the award” for “the purposes of—

“(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

“(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

“(C) chapter 89 (relating to Federal employees group health insurance) of title 5,

if the award”, “Chief Administrative Officer of the House of Representatives, as appropriate” for “Clerk of the House of Representatives, as appropriate”, and “Chief Administrative Officer of the House of Representatives by records” for “Clerk of the House by records”, and added subsec. (b).

**§ 130b. Jury and witness service by Senate and House employees****(a) Definitions**

For purposes of this section—

(1) “employee” means any individual whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(2) “court of the United States” has the meaning given it by section 451 of title 28 and includes the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands.

**(b) Service as juror or witness in connection with a judicial proceeding; prohibition against reduction of pay**

The pay of an employee shall not be reduced during a period of absence with respect to which the employee is summoned (and permitted to respond to such summons by the appropriate authority of the House of the Congress disbursing his pay), in connection with a judicial proceeding by a court or authority responsible for the conduct of that proceeding, to serve—

(1) as a juror; or

(2) other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;

in the District of Columbia, a State, territory, or possession of the United States including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands. For purposes of this subsection, “judicial proceeding” means any action, suit, or other judicial proceeding, including any condemnation, preliminary, informational, or other proceeding of a judicial nature, but does not include an administrative proceeding.

**(c) Official duty**

An employee is performing official duty during the period with respect to which he is summoned (and is authorized to respond to such summons by the House of the Congress disbursing his pay), or is assigned by such House, to—

(1) testify or produce official records on behalf of the United States or the District of Columbia; or

(2) testify in his official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.