

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 Sec-

retary 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 As-

sistant 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.

#### § 65a. Insurance of office funds of Secretary of Senate and Sergeant at Arms; payment of premiums

The Secretary of the Senate and the Sergeant at Arms on and after June 27, 1956, are authorized and directed to protect the funds of their respective offices by purchasing insurance in an amount necessary to protect said funds against loss. Premiums on such insurance shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Rules and Administration.

(June 27, 1956, ch. 453, 70 Stat. 360.)

#### CODIFICATION

Section is from the Legislative Branch Appropriation Act, 1957, act June 27, 1956.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Aug. 5, 1955, ch. 568, 69 Stat. 504.  
 July 2, 1954, ch. 455, title I, 68 Stat. 400.  
 Aug. 1, 1953, ch. 304, title I, 67 Stat. 321.  
 July 9, 1952, ch. 598, 66 Stat. 467.  
 Oct. 11, 1951, ch. 485, 65 Stat. 392.  
 Sept. 6, 1950, ch. 896, Ch. II, 64 Stat. 597.  
 June 22, 1949, ch. 235, 63 Stat. 219.  
 June 14, 1948, ch. 467, 62 Stat. 425.

#### § 65b. Advances to Sergeant at Arms of Senate for extraordinary expenses

The Secretary of the Senate on and after July 31, 1958, is authorized, in his discretion, to advance to the Sergeant at Arms of the Senate such sums as may be necessary, not exceeding \$4,000, to meet any extraordinary expenses of the Senate.

(Pub. L. 85-570, July 31, 1958, 72 Stat. 442; Pub. L. 94-440, title I, § 108, Oct. 1, 1976, 90 Stat. 1445; Pub. L. 95-26, title I, § 104, May 4, 1977, 91 Stat. 82.)

#### AMENDMENTS

1977—Pub. L. 95-26 struck out “during any fiscal year” after “\$4,000”.

1976—Pub. L. 94-440 substituted “\$4,000 during any fiscal year” for “\$2,000”.

#### § 65c. Expense allowance for Secretary of Senate, Sergeant at Arms and Doorkeeper of Senate, and Secretaries for Senate Majority and Minority

(a) Notwithstanding any other provision of law, there is hereby established an account, within the Senate, to be known as the “Expense Allowance for the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate and Secretaries for the Majority and for the Minority, of the Senate” (hereinafter in this section referred to as the “Expense Allowance”). For each fiscal year (commencing with the fiscal year ending September 30, 1981) there shall be available from the Expense Allowance an expense allotment not to exceed \$6,000 for each of the above specified officers. Amounts paid from the expense allotment of any such officer shall be paid to him only as reimbursement for actual expenses incurred by him and upon certification and documentation by him of such expenses. Amounts paid to any such officer pursuant to this section shall not be reported as income and shall not be allowed as a deduction under title 26.

(b) For the fiscal year ending September 30, 1981, and the succeeding fiscal year, the Secretary of the Senate shall transfer, for each such year, \$8,000 to the Expense Allowance from “Miscellaneous Items” in the contingent fund of the Senate. For the fiscal year ending September 30, 1983, and for each fiscal year thereafter, there are authorized to be appropriated to the Expense Allowance such funds as may be necessary to carry out the provisions of subsection (a) of this section.

(Pub. L. 97-51, § 119, Oct. 1, 1981, 95 Stat. 964; Pub. L. 98-63, title I, July 30, 1983, 97 Stat. 334; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 108-83, title I, § 5(a), Sept. 30, 2003, 117 Stat. 1013.)

#### AMENDMENTS

2003—Subsec. (a). Pub. L. 108-83 substituted “\$6,000” for “\$3,000”.

1986—Subsec. (a). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

1983—Subsec. (a). Pub. L. 98-63, which directed that “\$3,000” be substituted for “\$2,000” in first sentence of subsec. (a), was executed by making the substitution in second sentence as the probable intent of Congress.