

year, at his or her election transfer funds from the appropriation account for salaries for the Appropriations Committee of the Senate, to the account, within the contingent fund of the Senate, from which expenses are payable for such committee.

(2) The Chairman of the Appropriations Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Appropriations Committee of the Senate, to the account from which salaries are payable for such committee.

(b) Availability of funds; times of transfer

Any funds transferred under this section shall be—

(1) available for expenditure by such committee in like manner and for the same purposes as are other moneys which are available for expenditure by such committee from the account to which the funds were transferred; and

(2) made at such time or times as the Chairman shall specify in writing to the Senate Disbursing Office.

(c) Effective date

This section shall take effect on October 1, 1998, and shall be effective with respect to fiscal years beginning on or after that date.

(Pub. L. 105-275, title I, §11, Oct. 21, 1998, 112 Stat. 2435.)

CODIFICATION

Section was formerly classified to section 72d-1 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1999, which is title I of the Legislative Branch Appropriations Act, 1999.

§ 4338. Designation by Senator who is Chairman or Vice Chairman of Senate Select Committee on Ethics of employee in office of that Senator to perform part-time service for Committee; amount reimbursable; procedure applicable

Notwithstanding any other provisions of law, a Senator who is the Chairman or Vice Chairman of the Senate Select Committee on Ethics may designate one employee employed in his Senate office to perform part-time service for such Committee, and such Committee shall reimburse such Senator for such employee's services for the Committee by transferring from the contingent fund of the Senate, upon vouchers approved by the Chairman of such Committee, to such Senator's Administrative, Clerical, and Legislative Assistance Allowance, with respect to each pay period of such employee, an amount which bears the same ratio to such employee's salary (but not more than one-half of such salary) for such period, as the portion of the time spent (or to be spent) by such employee in performing services for such Committee during such period bears to the total time for which such employee worked (or will work) during such period (as determined by the Chairman of such Committee) for such Committee and in such Senator's office. Any funds transferred

under authority of the preceding sentence to a Senator's Administrative, Clerical, and Legislative Assistance¹ shall be available for the same purposes and in like manner as funds therein which were not transferred thereto under such authority. For purposes of any law of the United States, a State, a territory, or a political subdivision thereof, an employee designated by a Senator pursuant to this section shall be considered to be an employee of such Senator's Senate office and not an employee of the Senate Select Committee on Ethics.

(Pub. L. 98-367, title I, §10, July 17, 1984, 98 Stat. 476.)

CODIFICATION

Section was formerly classified to section 72a-1f of this title prior to editorial reclassification and renumbering as this section.

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

CHAPTER 45—CONGRESSIONAL PAY AND BENEFITS

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| 4502. | Appropriation of funds for compensation of Members of Congress and for administrative expenses at levels authorized by law and recommended by the President for Federal employees. |
| 4503. | Jury and witness service by Senate and House employees. |
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| 4534. | Obsolete references in existing law to basic pay rates. |
| 4535. | Saving provision. |

¹ So in original. Probably should be "Assistance Allowance".

- Sec.
4536. Student loan repayment program for House employees.
- 4537. Lump sum payment for accrued annual leave of House employees.
- 4538. Reimbursement of residential telecommunications expenses for House Members, officers, and employees.

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- 4552. Certificates to pay rolls of employees of House.
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- 4554. Waiver by Speaker of House of claims of United States arising out of erroneous payments to officers or employees paid by Chief Administrative Officer of House.
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- 4556. State income tax withholding; definitions.
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- 4558. Withholding of charitable contributions; definitions.
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- 4571. Senate pay adjustments; action by President pro tempore of Senate.
- 4572. Rates of compensation paid by Secretary of Senate; applicability of Senate pay adjustments by President pro tempore of Senate.
- 4573. Senate pay adjustments; action by President pro tempore of Senate.
- 4574. Limit on rate of compensation of Senate officers and employees.
- 4575. Gross rate of compensation of employees paid by Secretary of Senate.
- 4576. Availability of appropriated funds for payment to an individual of pay from more than one position; conditions.
- 4577. Availability of appropriations during first three months of any fiscal year for aggregate of payments of gross compensation made to employees from Senate appropriation account for "Salaries, Officers and Employees".
- 4578. Restriction on payment of dual compensation by Secretary of Senate.
- 4579. Student loan repayment program for Senate employees.
- 4580. Lump sum payment for accrued annual leave of Senate employees.
- 4581. Aggregate gross compensation of employee of Senator of State with population under 5,000,000.

PART B—ADMINISTRATION

- 4591. Vice President, Senators, officers, and employees paid by Secretary of Senate; payment of salary; advance payment.
- 4592. Payment of sums due deceased Senators and Senate personnel.
- 4593. Waiver by Secretary of Senate of claims of United States arising out of erroneous payments to Vice President, Senator, or Senate employee paid by Secretary of Senate.
- 4594. Withholding and remittance of State income tax by Secretary of Senate.
- 4595. Payment for unaccrued leave.

SUBCHAPTER I—GENERAL

PART A—AMOUNT AND TYPE

§ 4501. Compensation of Members of Congress

(1) The annual rate of pay for—

(A) each Senator, Member of the House of Representatives, and Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico,

(B) the President pro tempore of the Senate, the majority leader and the minority leader of the Senate, and the majority leader and the minority leader of the House of Representatives, and

(C) the Speaker of the House of Representatives,

shall be the rate determined for such positions under chapter 11 of this title, as adjusted by paragraph (2) of this section.

(2)(A) Subject to subparagraph (B), effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5 in the rates of pay under the General Schedule, each annual rate referred to in paragraph (1) shall be adjusted by an amount, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the next higher multiple of \$100), equal to the percentage of such annual rate which corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.

(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.

(Aug. 2, 1946, ch. 753, title VI, §601(a), 60 Stat. 850; Jan. 19, 1949, ch. 2, §1(d), 63 Stat. 4; Mar. 2, 1955, ch. 9, §4(a), 69 Stat. 11; Pub. L. 88-426, title II, §204, Aug. 14, 1964, 78 Stat. 415; Pub. L. 89-301, §11(e), Oct. 29, 1965, 79 Stat. 1120; Pub. L. 91-67, §2, Sept. 15, 1969, 83 Stat. 107; Pub. L. 94-82, title II, §204(a), Aug. 9, 1975, 89 Stat. 421; Pub. L. 101-194, title VII, §704(a)(2)(B), Nov. 30, 1989, 103 Stat. 1769; Pub. L. 101-509, title V, §529 [title I, §101(b)(4)(D)], Nov. 5, 1990, 104 Stat. 1427, 1439; Pub. L. 103-356, title I, §101(1), Oct. 13, 1994, 108 Stat. 3410.)

REFERENCES IN TEXT

The General Schedule, referred to in par. (2), is set out under section 5332 of Title 5, Government Organization and Employees.

Section 704(a)(1) of the Ethics Reform Act of 1989, referred to in par. (2)(A), is section 704(a)(1) of Pub. L. 101-194, which is set out as a note under section 5318 of Title 5.

CODIFICATION

Section was formerly classified to section 31 of this title prior to editorial reclassification and renumbering as this section.