

**§ 4332. Assistance to Senators with committee memberships by employees in office of Senator**

**(1) Designation**

A Senator may designate employees in his office to assist him in connection with his membership on committees of the Senate. An employee may be designated with respect to only one committee.

**(2) Certification; professional staff privileges**

An employee designated by a Senator under this section shall be certified by him to the chairman and ranking minority member of the committee with respect to which such designation is made. Such employee shall be accorded all privileges of a professional staff member (whether permanent or investigatory) of such committee including access to all committee sessions and files, except that any such committee may restrict access to its sessions to one staff member per Senator at a time and require, if classified material is being handled or discussed, that any staff member possess the appropriate security clearance before being allowed access to such material or to discussion of it. Nothing contained in this paragraph shall be construed to prohibit a committee from adopting policies and practices with respect to the application of this section which are similar to the policies and practices adopted with respect to the application of section 705(c)(1)<sup>1</sup> of Senate Resolution 4, 95th Congress, and section 72a-1d(c)(1)<sup>1</sup> of this title.

**(3) Termination**

A Senator shall notify the chairman and ranking minority member of a committee whenever a designation of an employee under this section with respect to such committee is terminated.

(Pub. L. 95-94, title I, §111(c), Aug. 5, 1977, 91 Stat. 662.)

REFERENCES IN TEXT

Section 705(c)(1) of Senate Resolution 4, 95th Congress, referred to in par. (2), which was not classified to the Code, was repealed by Pub. L. 95-94, title I, §111(e)(2), Aug. 5, 1977, 91 Stat. 663.

Section 72a-1d(c)(1) of this title, referred to in par. (2), was repealed by Pub. L. 95-94, title I, §111(e)(1), Aug. 5, 1977, 91 Stat. 663.

CODIFICATION

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

Section is from the Congressional Operations Appropriation Act, 1978, which is title I of the Legislative Branch Appropriation Act, 1978.

EFFECTIVE DATE

Pub. L. 95-94, title I, §111(f), Aug. 5, 1977, 91 Stat. 663, provided that: "This section, and the amendments made by subsection (d) and the repeals made by subsection (e) [enacting this section, amending section 4575 of this title, enacting notes set out under section 4575 of this title, and repealing section 72a-1d and notes set out under former section 72a-1d of this title], shall take effect on October 1, 1977."

<sup>1</sup> See References in Text note below.

**§ 4333. Expenses of committees payable from Senate contingent fund**

When any duty is imposed upon a committee involving expenses that are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of such chairman for any sum advanced to him or his order out of said contingent fund by the Secretary of the Senate for committee expenses not involving personal services shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish to the Secretary of the Senate vouchers in detail for the expenses so incurred.

(Mar. 3, 1879, ch. 183, 20 Stat. 419; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; June 22, 1949, ch. 235, §101, 63 Stat. 218.)

CODIFICATION

Section was formerly classified to section 69 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1949—Act June 22, 1949, inserted "for committee expenses not involving personal services" after "Secretary of the Senate", and omitted the requirement that the Secretary of the Senate file the vouchers with the General Accounting Office.

TRANSFER OF FUNCTIONS

Act June 10, 1921, transferred powers and duties of Comptroller, six auditors, and certain other officers of the Treasury to General Accounting Office.

**§ 4334. Availability of funds for franked mail expenses**

Funds in the account, within the contingent fund of the Senate, available for the expenses of inquiries and investigations shall be available for franked mail expenses incurred by committees of the Senate the other expenses of which are paid from that account.

(Pub. L. 105-55, title I, §6(b), Oct. 7, 1997, 111 Stat. 1181.)

CODIFICATION

Section was formerly classified to section 69-1 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1998, which is title I of the Legislative Branch Appropriations Act, 1998.

EFFECTIVE DATE

Pub. L. 105-55, title I, §6(c), Oct. 7, 1997, 111 Stat. 1181, provided that: "This section [enacting this section] is effective for fiscal years beginning on and after October 1, 1997."

**§ 4335. Employment of civilian employees of executive branch of Government by Senate Committee on Appropriations; restoration to former position**

Whenever any person has left or leaves any civilian position in any department or agency in the executive branch of the Government in order to accept employment by the Senate Committee

on Appropriations, he shall be carried on the rolls of such committee and shall be solely employed by such committee, and responsible only to it; but he shall be entitled upon making application to the Director of the Office of Personnel Management within thirty days after the termination of his employment by such committee (unless such employment is terminated for cause) to be restored to a position in the same or any other department or agency where an opening exists, comparable to the position which, according to the records of the department or agency which he left to accept employment by the Senate Committee on Appropriations or in the judgment of the Director of the Office of Personnel Management, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

(June 13, 1945, ch. 189, §1, 59 Stat. 243; July 1, 1946, ch. 530, 60 Stat. 392; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783.)

#### CODIFICATION

Section was formerly classified to section 67a of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1946—Act July 1, 1946, reenacted section without change.

#### TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted in text for “Civil Service Commission” pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in United States Civil Service Commission and Chairman thereof to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1–102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

### § 4336. Discretionary authority of Senate Committee on Appropriations

#### (a) In general

The Committee on Appropriations is authorized in its discretion—

- (1) to hold hearings, report such hearings, and make investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate;
- (2) to make expenditures from the contingent fund of the Senate;
- (3) to employ personnel;
- (4) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration to use, on a reimbursable or nonreimbursable basis, the services of personnel of any such department or agency;

(5) to procure the services of individual consultants, or organizations thereof (as authorized by section 4301(i) of this title and Senate Resolution 140, agreed to May 14, 1975, except that any approval (and related reporting requirement) shall not apply); and

(6) to provide for the training of the professional staff of such committee (under procedures specified by section 4301(j) of this title).

#### (b) Omitted

#### (c) Effective date

This section shall be effective on and after October 1, 1998, or the date of enactment of this Act [October 21, 1998], whichever is later.

(Pub. L. 105–275, title I, §10, Oct. 21, 1998, 112 Stat. 2435; Pub. L. 109–55, title I, §6, Aug. 2, 2005, 119 Stat. 568.)

#### REFERENCES IN TEXT

Senate Resolution 140, agreed to May 14, 1975, referred to in subsec. (a)(5), is Senate Resolution 140, 94th Congress, which is not classified to the Code.

#### CODIFICATION

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

Section is comprised of section 10 of Pub. L. 105–275. Subsec. (b) of section 10 of Pub. L. 105–275 amended section 4 of Senate Resolution 54, 105th Congress, which is not classified to the Code.

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

#### AMENDMENTS

2005—Subsec. (a)(5). Pub. L. 109–55 inserted “, except that any approval (and related reporting requirement) shall not apply” after “May 14, 1975”.

### § 4337. Transfer of funds by Chairman of Senate Committee on Appropriations

#### (a) In general

(1) 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 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.