

**(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 Assistance<sup>1</sup> 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.

<sup>1</sup> So in original. Probably should be "Assistance Allowance".

**CHAPTER 45—CONGRESSIONAL PAY AND BENEFITS**

## SUBCHAPTER I—GENERAL

## PART A—AMOUNT AND TYPE

- Sec.  
4501. Compensation of Members of Congress.  
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.  
4504. Nonpay status for Congressional employees studying under Congressional staff fellowships.  
4505. Voluntary separation incentive payments.  
4506. Death gratuity payments as gifts.  
4507. Longevity compensation.  
4508. Longevity compensation for telephone operators on United States telephone exchange and members of Capitol Police paid by Chief Administrative Officer of House.  
4509. Longevity compensation not applicable to individuals paid by Secretary of Senate; savings provision.

## PART B—ADMINISTRATION

4521. Mode of payment.  
4522. Deductions for withdrawal.  
4523. Deductions for delinquent indebtedness.  
4524. Withholding of charitable contributions from salaries paid by Secretary of Senate and from employees of Architect of Capitol.

## SUBCHAPTER II—HOUSE OF REPRESENTATIVES

## PART A—AMOUNT AND TYPE

4531. House of Representatives pay adjustments; action by Chief Administrative Officer of House.  
4532. Rates of compensation disbursed by Chief Administrative Officer of House; adjustments by Speaker; "Member of the House of Representatives" defined.  
4533. Single per annum gross rates of pay for employees.  
4534. Obsolete references in existing law to basic pay rates.  
4535. Saving provision.  
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.

## PART B—ADMINISTRATION

4551. Day for paying salaries of the House of Representatives.  
4552. Certificates to pay rolls of employees of House.  
4553. Gratuities for survivors of deceased House employees; computation.  
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.  
4555. Withholding of State income tax by Chief Administrative Officer of House.  
4556. State income tax withholding; definitions.  
4557. Withholding of charitable contributions by Chief Administrative Officer of House.  
4558. Withholding of charitable contributions; definitions.  
4559. Certification of indebtedness of employees of House; withholding of amount.

Sec.  
4560. Deductions by Chief Administrative Officer in disbursement of gratuity appropriations.

SUBCHAPTER III—SENATE

PART A—AMOUNT AND TYPE

- 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.

AMENDMENTS

1994—Par. (2). Pub. L. 103-356 designated existing provisions as subpar. (A), substituted "Subject to subparagraph (B), effective" for "Effective", and added subpar. (B).

1990—Par. (2). Pub. L. 101-509 substituted "5303" for "5305".

1989—Par. (2). Pub. L. 101-194 substituted "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" for "the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule".

1975—Pub. L. 94-82 designated existing provisions as par. (1), substituted provisions that rate of pay of the specified parties shall be determined under section 351 et seq. of this title, as adjusted by par. (2) for provisions setting rate of compensation at \$42,500 for Senators, Representatives, Delegates, and Resident Commissioner, \$62,500 for Speaker, and \$49,500 for President pro tempore of Senate and Majority and Minority Leaders of House and Senate, and added par. (2).