

R.S. §41 derived from Res. July 17, 1862, No. 68, §2, 12 Stat. 628.

§ 4523. Deductions for delinquent indebtedness

Whenever a Representative, Delegate, Resident Commissioner, or a United States Senator, shall fail to pay any sum or sums due from such person to the House of Representatives or Senate, respectively, the appropriate committee or officer of the House of Representatives or Senate, as the case may be, having jurisdiction of the activity under which such debt arose, shall certify such delinquent sum or sums to the Chief Administrative Officer of the House of Representatives in the case of an indebtedness to the House of Representatives and to the Secretary of the Senate in the case of an indebtedness to the Senate, and such latter officials are authorized and directed, respectively, to deduct from any salary, mileage, or expense money due to any such delinquent such certified amounts or so much thereof as the balance or balances due such delinquent may cover. Sums so deducted by the Secretary of the Senate shall be disposed of by him in accordance with existing law, and sums so deducted by the Chief Administrative Officer of the House of Representatives shall be disposed of by him in accordance with existing law.

(June 19, 1934, ch. 648, title I, §1, 48 Stat. 1024; Pub. L. 104-186, title II, §203(8), Aug. 20, 1996, 110 Stat. 1726.)

CODIFICATION

Section was formerly classified to section 40a of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Pub. L. 104-186 substituted “Chief Administrative Officer of the House of Representatives in” for “Sergeant at Arms of the House in” and “Chief Administrative Officer of the House of Representatives shall be” for “Sergeant at Arms of the House shall be paid to the Clerk of the House and”.

§ 4524. Withholding of charitable contributions from salaries paid by Secretary of Senate and from employees of Architect of Capitol

(a) Definitions

For purposes of this section, the term—

- (1) “Secretary” means the Secretary of the Senate; and
- (2) “Architect” means the Architect of the Capitol.

(b) Notice; deduction and transmission

(1) The Secretary and the Architect shall notify individuals whose pay is disbursed by the Secretary or who are employees of the Architect, including employees of the Botanic Garden or the Senate Restaurants of the opportunity to have amounts withheld from their pay pursuant to this section for contribution to national voluntary health and welfare agencies designated by the Director of the Office of Personnel Management pursuant to Executive Order 10927, dated March 18, 1961.

(2) Upon request by such an individual specifying the amount to be withheld and one Combined Federal Campaign Center in the Washing-

ton metropolitan area to receive such amount, the Secretary, the Architect, or any other officer who disburses the pay of such individual, as the case may be, shall—

- (A) withhold such amount from the pay of such individual; and
- (B) transmit (not less than once each calendar quarter) the amount so withheld to the Combined Federal Campaign Center as specified in such request.

(c) Time of withholding and transmission

The Secretary and the Architect shall, to the extent practicable, carry out subsection (b) at or about the time of the Combined Federal Campaign and other fundraising in the executive branch of the Federal Government conducted pursuant to Executive Order 10927, dated March 18, 1961, and at such other times as each such officer deems appropriate.

(d) Amount

(1) No amount shall be withheld under subsection (b) from the pay of any individual for any pay period if the amount of such pay for such period is less than the sum of—

- (A) the amount specified to be withheld from such pay under subsection (b) for such period; plus
- (B) the amount of all other withholdings from such pay for such period.

(2) No amount may be specified by an individual to be withheld for any pay period under subsection (b) which is less than—

- (A) 50 cents, if the pay period of such individual is biweekly or semimonthly; or
- (B) \$1, if the pay period of such individual is monthly.

(e) Provisions as not imposing duty, burden, requirement or penalty on United States, Senate, or any officer or employee of United States; effect of filing paper

This section imposes no duty, burden, or requirement upon the United States, the Senate, or any officer or employee of the United States, except as specifically provided in this section. Nothing in this section shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, the Senate, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section. Any paper, form, document, or any other item filed with the Secretary under this section is a paper of the Senate within the provisions of rule XXX of the Standing Rules of the Senate.

(f) Rules and regulations

The Secretary and the Architect are authorized to issue rules and regulations they consider appropriate in carrying out their duties under this section.

(Pub. L. 95-470, Oct. 17, 1978, 92 Stat. 1323; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783.)

REFERENCES IN TEXT

Executive Order 10927, dated March 18, 1961, referred to in subsecs. (b)(1) and (c), was revoked by, and is covered by, Ex. Ord. No. 12353, Mar. 23, 1982, 47 F.R. 12785.

The Standing Rules of the Senate, referred to in subsec. (e), were revised in 1979 and 2000. Provisions relat-

ing to withdrawal of papers from the files of the Senate which were formerly contained in Rule XXX of the Standing Rules of the Senate are contained in Rule XI of the Standing Rules of the Senate.

CODIFICATION

Section was formerly classified to section 60c-4 of this title prior to editorial reclassification and renumbering as this section.

TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted for “Chairman of the Civil Service Commission” in subsec. (b)(1) 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.

SUBCHAPTER II—HOUSE OF REPRESENTATIVES

PART A—AMOUNT AND TYPE

§ 4531. House of Representatives pay adjustments; action by Chief Administrative Officer of House

(a) Whenever an adjustment under section 5303 of title 5 becomes effective with respect to rates of pay under the General Schedule, the Chief Administrative Officer of the House of Representatives, in such manner as he considers advisable—

(1) effective on the first day of the month in which such pay adjustment by the President is made effective as described above, shall adjust—

(A) each minimum and maximum rate of pay applicable to any employee or class of employees whose pay is disbursed by the Chief Administrative Officer (other than a maximum rate equal to or greater than the maximum rate then currently being paid under the General Schedule of section 5332 of title 5 as a result of such adjustment); and

(B) each monetary limitation on or monetary allowance for pay applicable to any such employee or class of employees;

by an amount rounded to the nearest \$100 and computed on the basis of a percentage equal or equivalent, insofar as practicable and with such variations as the Chief Administrative Officer considers appropriate, to the percentage of the adjustment under such section 5303;

(2) shall determine, with respect to the employees and classes of employees within the purview of this section whose pay is disbursed by the Chief Administrative Officer, the respective amounts of pay adjustments which are equal or equivalent, insofar as practicable and with such exceptions and modifications as may be necessary to provide for appropriate pay relationships between positions, to corresponding increases in pay, as determined by the Chief Administrative Officer, made by the pay adjustment by the President; and

(3) shall transmit to the appropriate pay-fixing authority concerned in the House of Rep-

resentatives a copy of his determinations with respect to the pay of those employees whose pay is fixed and adjusted by that authority.

(b) After consideration of the pay determinations transmitted by the Chief Administrative Officer, the pay-fixing authority concerned may adjust, notwithstanding the provisions contained in sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31, the rates of pay concerned in such manner as that authority considers appropriate.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) This section shall not be deemed to authorize any adjustment in the rates of pay of employees whose rates of pay are disbursed by the Chief Administrative Officer and are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices, including employees subject to the House Wage Schedule.

(e) No rate of pay for any position shall be adjusted under this section to an amount in excess of the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 4532 of this title.

(Pub. L. 91-656, §5, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, §3(b), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, §14(b), Aug. 19, 1972, 86 Stat. 575; Pub. L. 101-509, title V, §529 [title I, §101(b)(4)(F), (10)], Nov. 5, 1990, 104 Stat. 1427, 1440, 1442; Pub. L. 102-378, §5(b), Oct. 2, 1992, 106 Stat. 1358; Pub. L. 104-186, title II, §204(1), Aug. 20, 1996, 110 Stat. 1729; Pub. L. 116-94, div. E, title II, §212(b)(2), Dec. 20, 2019, 133 Stat. 2776.)

CODIFICATION

Section was formerly classified to section 60a-2 of this title prior to editorial reclassification and renumbering as this section.

In subsec. (b), “sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31” substituted for “section 665 of title 31, United States Code” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

2019—Subsec. (e). Pub. L. 116-94, which directed amendment of section “4(e) of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4531(e))” by amending subsec. (e) generally, was executed to section 5(e) of the Act, which is subsec. (e) of this section, to reflect the probable intent of Congress. Prior to amendment, subsec. (e) read as follows: “No rate of pay shall be adjusted under this section to an amount in excess of the rate of basic pay of level V of the Executive Schedule contained in section 5316 of title 5.”

1996—Subsec. (a). Pub. L. 104-186, §204(1)(A), substituted “Chief Administrative Officer of the House of Representatives” for “Clerk of the House of Representatives” in introductory provisions.

Subsec. (a)(1). Pub. L. 104-186, §204(1)(D), substituted “Chief Administrative Officer” for “Clerk” in concluding provisions.

Subsec. (a)(1)(A). Pub. L. 104-186, §204(1)(B), substituted “Chief Administrative Officer” for “Clerk of the House”.

Subsec. (a)(1)(B). Pub. L. 104-186, §204(1)(C), struck out “, including but not limited to—

“(i) the clerk hire allowance for each Member of the House of Representatives and the Resident Commissioner from Puerto Rico; and