

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

#### Statutory Notes and Related Subsidiaries

##### 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.)

#### Editorial Notes

##### 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.

#### Executive Documents

##### 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 trans-

ferred 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.)

#### Editorial Notes

##### 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.

**(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.)

**Editorial Notes**

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.)

**Editorial Notes**

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**

**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.

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