

tion [amending this section and sections 503 and 5321 of this title] shall apply with respect to the first session of the One Hundred Sixth Congress and each succeeding session of Congress.”

#### CLERK HIRE ALLOWANCE; INCREASE

Pub. L. 101-520, title I, §104, Nov. 5, 1990, 104 Stat. 2262, effective for 102d Congress, increased authorization for the Clerk Hire Allowance by \$50,000.

### § 4314. Limitation on allowance authority of Committee on House Oversight

#### (a) In general

An order under the provision of law specified in subsection (c) may fix or adjust the allowances of the House of Representatives only by reason of—

- (1) a change in the price of materials, services, or office space;
- (2) a technological change or other improvement in office equipment; or
- (3) an increase under section 5303 of title 5 in rates of pay under the General Schedule.

#### (b) Resolution requirement

In the case of reasons other than the reasons specified in paragraph (1), (2), or (3) of subsection (a), the fixing and adjustment of the allowances of the House of Representatives in the categories described in the provision of law specified in subsection (c) may be carried out only by resolution of the House of Representatives.

#### (c) Provision specified

The provision of law referred to in subsections (a) and (b) is section 4313 of this title.

(Pub. L. 94-440, title II, §101, Oct. 1, 1976, 90 Stat. 1448; Pub. L. 104-186, title I, §103, Aug. 20, 1996, 110 Stat. 1720.)

#### Editorial Notes

##### REFERENCES IN TEXT

The General Schedule, referred to in subsec. (a)(3), is set out under section 5332 of Title 5, Government Organization and Employees.

##### CODIFICATION

Section was formerly classified to section 57a of this title prior to editorial reclassification and renumbering as this section.

Section is based on House Resolution No. 1372, §1, Ninety-fourth Congress, July 1, 1976, which was enacted into permanent law by Pub. L. 94-440.

##### AMENDMENTS

1996—Pub. L. 104-186 amended section generally. Prior to amendment, section consisted of subsecs. (a) and (b) relating to limitations on authority of the Committee on House Administration to fix and adjust allowances.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

### § 4315. Overtime pay for FBI employees detailed to House Committee on Appropriations

The Federal Bureau of Investigation, notwithstanding any other provision of law, may in any

fiscal year pay all administrative uncontrollable overtime accrued by its employees while on detail to the Committee on Appropriations.

(Pub. L. 103-283, title I, July 22, 1994, 108 Stat. 1430.)

#### Editorial Notes

##### CODIFICATION

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

### § 4316. Allowances for compensation of interns in House committee offices

#### (a) Establishment of allowances

There are established for the House of Representatives the following allowances:

- (1) An allowance which shall be available for the compensation of interns who serve in offices of a standing, special, or select committee of the House (other than the Committee on Appropriations).
- (2) An allowance which shall be available for the compensation of interns who serve in offices of the Committee on Appropriations.

#### (b) Benefit exclusion

Section 5321(b) of this title shall apply with respect to an intern who is compensated under an allowance under this section in the same manner as such section applies with respect to an intern who is compensated under the Members' Representational Allowance.

#### (c) Definitions

In this section, the term “intern”, with respect to a committee of the House, has the meaning given such term with respect to a Member of the House of Representatives in section 5321(c)(2) of this title.

#### (d) Omitted

#### (e) Authorization of appropriations

There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2022 and each succeeding fiscal year.

(Pub. L. 117-103, div. I, title I, §113, Mar. 15, 2022, 136 Stat. 510.)

#### Editorial Notes

##### CODIFICATION

Section is comprised of section 113 of div. I of Pub. L. 117-103. Subsec. (d) of section 113 of div. I of Pub. L. 117-103 amended section 5507 of this title.

#### SUBCHAPTER III—SENATE

### § 4331. Computation of compensation for stenographic assistance of committees payable from Senate contingent fund

Compensation for stenographic assistance of committees paid out of the items under “Contingent Expenses of the Senate” on and after June 27, 1956 shall be computed at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, notwithstanding, and without regard to any other provision of law.

(June 27, 1956, ch. 453, 70 Stat. 360.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 68c of this title prior to editorial reclassification and renumbering as this section.

### § 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.)

### Editorial Notes

#### 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.

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

### Statutory Notes and Related Subsidiaries

#### 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."

### § 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.)

### Editorial Notes

#### 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.

### Statutory Notes and Related Subsidiaries

#### 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.)

### Editorial Notes

#### 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.

**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 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.)

**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.<br>4501.<br>4502. | Compensation of Members of Congress.<br>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.<br>4522.<br>4523.<br>4524. | Mode of payment.<br>Deductions for withdrawal.<br>Deductions for delinquent indebtedness.<br>Withholding of charitable contributions from salaries paid by Secretary of Senate and from employees of Architect of Capitol. |
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**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.   |

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