

**§ 4535. Saving provision**

The provisions of this Part<sup>1</sup> shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, any position for which the pay is disbursed by the Chief Administrative Officer of the House of Representatives; or

(2) affect the continuity of employment of, or reduce the pay of, any employee whose pay is disbursed by the Chief Administrative Officer of the House.

(Pub. L. 91-510, title IV, §476, Oct. 26, 1970, 84 Stat. 1195; Pub. L. 104-186, title II, §210(5), Aug. 20, 1996, 110 Stat. 1743.)

**Editorial Notes****REFERENCES IN TEXT**

This Part, referred to in text, means Part 7 (§§471-477) of title IV of Pub. L. 91-510, Oct. 26, 1970, 84 Stat. 1193. For complete classification of Part 7 to the Code, see Tables.

**CODIFICATION**

Section was formerly classified to section 336 of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

1996—Pars. (1), (2). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE**

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 4301 of this title.

**§ 4536. Student loan repayment program for House employees****(a) Program to cover student loan repayment, educational assistance, and professional development for House employees****(1) Establishment**

The Chief Administrative Officer shall establish a program under which an employing office of the House of Representatives may agree—

(A) to repay (by direct payment on behalf of the employee) any student loan previously taken out by an employee of the office;

(B) to make direct payments on behalf of an employee of the office or to reimburse an employee of the office for expenses paid by the employee for the employee’s educational and professional development; and

(C) to make direct payments on behalf of an employee of the office or to reimburse an employee of the office for credentialing, professional accreditation, professional licensure, and professional certification expenses paid by the employee.

**(2) Exclusion of members**

For purposes of this section, a Member of the House of Representatives (including a Del-

egate or Resident Commissioner to the Congress) shall not be considered to be an employee of the House of Representatives.

**(b) Lifetime limit on aggregate payments made on behalf of any individual**

The aggregate amount of payments made on behalf of any individual under the program under this section by all employing offices of the House of Representatives may not exceed \$80,000.

**(c) Regulations**

The Committee on House Administration shall promulgate such regulations as may be necessary to carry out the program under this section.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out the program under this section during fiscal year 2003 and each succeeding fiscal year.

(Pub. L. 108-7, div. H, title I, §105, Feb. 20, 2003, 117 Stat. 354; Pub. L. 116-260, div. I, title I, §114(a), Dec. 27, 2020, 134 Stat. 1636; Pub. L. 117-328, div. I, title I, §114(a), Dec. 29, 2022, 136 Stat. 4923.)

**Editorial Notes****CODIFICATION**

Section was formerly classified to section 60c-6 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of the Consolidated Appropriations Resolution, 2003.

**AMENDMENTS**

2022—Subsec. (a). Pub. L. 117-328 amended subsec. (a) generally. Prior to amendment, text read as follows: “The Chief Administrative Officer shall establish a program under which an employing office of the House of Representatives may agree to repay (by direct payment on behalf of the employee) any student loan previously taken out by an employee of the office. For purposes of this section, a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) shall not be considered to be an employee of the House of Representatives.”

2020—Subsecs. (b) to (d). Pub. L. 116-260 added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2022 AMENDMENT**

Pub. L. 117-328, div. I, title I, §114(b), Dec. 29, 2022, 136 Stat. 4923, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to payments made during fiscal year 2023 or any succeeding fiscal year.”

**EFFECTIVE DATE OF 2020 AMENDMENT**

Pub. L. 116-260, div. I, title I, §114(b)(1), Dec. 27, 2020, 134 Stat. 1636, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2021 and each succeeding fiscal year.”

**PERMITTING ADDITIONAL PAYMENTS ON BEHALF OF INDIVIDUALS WHOSE PAYMENTS REACHED PRIOR LIMIT**

Pub. L. 116-260, div. I, title I, §114(b)(2), Dec. 27, 2020, 134 Stat. 1636, provided that: “In promulgating regula-

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

tions to carry out the amendment made by subsection (a) [amending this section], the Committee on House Administration of the House of Representatives shall include regulations to permit payments to be made under the program under section 105 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 4536) on behalf of an individual who—

“(A) is an employee of an employing office of the House during fiscal year 2021 or any succeeding fiscal year;

“(B) prior to fiscal year 2021, had payments made on the individual’s behalf under the program under such section; and

“(C) prior to fiscal year 2021, became ineligible to have payments made on the individual’s behalf under the program because the aggregate amount of the payments made on the individual’s behalf under the program reached the limit on such aggregate amount which (under regulations promulgated by the Committee) was in effect prior to fiscal year 2021.”

#### **§ 4537. Lump sum payment for accrued annual leave of House employees**

##### **(a) Approval; amount; source of payments**

Upon the approval of the appropriate employing authority, an employee of the House of Representatives may be paid a lump sum for the accrued annual leave of the employee or for any other purpose. The lump sum—

(1) shall be paid in an amount not more than the lesser of—

(A) the amount of the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives; or

(B) in the case of a lump sum payment for the accrued annual leave of the employee, the amount equal to the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives, divided by 30, and multiplied by the number of days of the accrued annual leave of the employee;

(2) shall be paid—

(A) for clerk hire employees, from the clerk hire allowance of the Member;

(B) for committee employees, from amounts appropriated for committees; and

(C) for other employees, from amounts appropriated to the employing authority; and

(3) shall be based on the rate of pay in effect with respect to the employee on the last day of employment of the employee.

##### **(b) Regulations**

The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

##### **(c) “Employee of the House of Representatives” defined**

As used in this section, the term “employee of the House of Representatives” means an employee whose pay is disbursed by the Clerk of the House of Representatives or the Chief Administrative Officer of the House of Representatives, as applicable, except that such term does not include a uniformed or civilian support employee under the Capitol Police Board.

##### **(d) Separations after June 30, 1995**

Payments under this section may be made with respect to separations from employment taking place after June 30, 1995.

(Pub. L. 104-53, title I, §109, Nov. 19, 1995, 109 Stat. 522; Pub. L. 105-55, title I, §103(a), Oct. 7, 1997, 111 Stat. 1183.)

#### **Editorial Notes**

##### **CODIFICATION**

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

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

##### **AMENDMENTS**

1997—Subsec. (a). Pub. L. 105-55, §103(a)(1), (2), in introductory provisions, struck out “who is separated from employment,” after “House of Representatives” and substituted “of the employee or for any other purpose” for “of the employee”.

Subsec. (a)(1)(B). Pub. L. 105-55, §103(a)(3), substituted “in the case of a lump sum payment for the accrued annual leave of the employee, the amount” for “the amount”.

#### **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.

##### **EFFECTIVE DATE OF 1997 AMENDMENT**

Pub. L. 105-55, title I, §103(b), Oct. 7, 1997, 111 Stat. 1183, provided that: “The amendments made by subsection (a) [amending this section] shall apply to fiscal years beginning on or after October 1, 1997.”

#### **§ 4538. Reimbursement of residential telecommunications expenses for House Members, officers, and employees**

(a) Notwithstanding any other provision of law, official resources may be used during a fiscal year (beginning with fiscal year 1999), in accordance with regulations of the Committee on House Oversight, to reimburse a Member, officer, or employee of the House of Representatives for the ordinary and necessary expenses related to the official use of telecommunications lines in the residence of the Member, officer, or employee.

(b) The Committee on House Oversight shall promulgate such regulations as are necessary to implement this section.

(Pub. L. 105-275, title I, §109, Oct. 21, 1998, 112 Stat. 2439.)

#### **Editorial Notes**

##### **CODIFICATION**

Section was formerly classified to section 127b 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.

#### **Statutory Notes and Related Subsidiaries**

##### **CHANGE OF NAME**

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