

PART B—ADMINISTRATION

§ 4551. Day for paying salaries of the House of Representatives

The usual day for paying salaries in or under the House of Representatives shall be the last day of each month, except that if the last day of a month falls on a Saturday, Sunday, or a legal public holiday, the Chief Administrative Officer of the House of Representatives shall pay such salaries on the first weekday which precedes the last day.

(Pub. L. 107-68, title I, § 116(a), Nov. 12, 2001, 115 Stat. 573.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 60d-1 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 2002, which is title I of the Legislative Branch Appropriations Act, 2002.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 107-68, title I, § 116(c), Nov. 12, 2001, 115 Stat. 573, provided that: “This section [enacting this section and repealing sections 60d, 60e, and 60e-1 of this title] and the amendments made by this section shall apply with respect to pay periods beginning after the expiration of the 1-year period which begins on the date of the enactment of this Act [Nov. 12, 2001].”

§ 4552. Certificates to pay rolls of employees of House

The Clerk, Sergeant at Arms, and Chief Administrative Officer of the House of Representatives shall make certificate each month to their respective pay rolls, stating whether the persons named in such pay rolls and employed in their respective departments have been actually present at their respective places of duty and have actually performed the services for which compensation is provided in said pay rolls, and in each case where a person carried on such pay roll has been absent and has not performed the services in whole or in part for which payment is proposed, the reason for such absence and for such nonperformance of services shall be stated.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 968; Pub. L. 104-186, title II, § 204(41), Aug. 20, 1996, 110 Stat. 1736.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 89 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Pub. L. 104-186 substituted “and Chief Administrative Officer” for “Doorkeeper, and Postmaster”.

§ 4553. Gratuities for survivors of deceased House employees; computation

The Chief Administrative Officer of the House of Representatives is on and after July 2, 1954,

authorized to pay, from the applicable accounts of the House of Representatives, a gratuity to the widow, widower, or heirs-at-law, of each deceased employee of the House an amount equal to one month's salary for each year or part of year of the first six years service of such employee plus one-half of one month's salary for each year or part of year of such service in excess of six years to and including the eighteenth year of such service. Service computed hereunder shall include all Federal civilian employment, and military service where such service interrupted Federal civilian employment.

(July 2, 1954, ch. 455, title I, 68 Stat. 403; Pub. L. 104-186, title II, § 204(70), Aug. 20, 1996, 110 Stat. 1740.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 125 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” for “Clerk of the House” and “applicable accounts of the House of Representatives” for “contingent fund of the House”.

§ 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**(a) Waiver of claim for erroneous payment of pay or allowances**

A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after July 25, 1974, to an officer or employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House.

(b) Investigation and report

An application for waiver of a claim shall be investigated by the Chief Administrative Officer of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

(c) Prohibition of waiver

The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(d) Credit for waiver

In the audit and settlement of the accounts of any accountable officer or official, full credit

shall be given for any amounts with respect to which collection by the United States is waived under this section.

(e) Effect of waiver

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(f) Construction with other laws

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) Rules and regulations

The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, §3, July 25, 1974, 88 Stat. 395; Pub. L. 104-186, title II, §204(76), Aug. 20, 1996, 110 Stat. 1742; Pub. L. 104-316, title I, §102(c), Oct. 19, 1996, 110 Stat. 3828.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 130d of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-316 struck out “, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official” before period at end.

Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (b). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

§ 4555. Withholding of State income tax by Chief Administrative Officer of House

(a) Agreement with proper State official; covered individuals

Until otherwise provided by law, the Chief Administrative Officer of the House of Representatives shall, in accordance with subsections (b), (c), and (d) enter into an agreement with any State, at the request for agreement from the proper State official. The agreement shall provide that the Chief Administrative Officer shall withhold State income tax in the case of each Member and employee who is subject to such income tax and who voluntarily requests such withholding.

(b) Number of remittances authorized

Any agreement entered into under subsection (a) shall not require the Chief Administrative Officer to remit sums withheld pursuant to any such agreement more often than once each calendar quarter.

(c) Acceptance or disapproval of proposed agreement by Committee on House Administration

(1) The Chief Administrative Officer shall, before entering into any agreement under subsection (a), transmit a statement with respect to the proposed agreement to the Committee on House Administration of the House of Representatives (hereinafter in this section and section 4556 of this title referred to as the “com-

mittee”). Such statement shall set forth a detailed description of the proposed agreement, together with any other information which the committee may require.

(2) If the committee does not disapprove, through appropriate action, any proposed agreement transmitted to the committee under paragraph (1) no later than ten legislative days after receiving such proposed agreement, then the Chief Administrative Officer may enter into such proposed agreement. The Chief Administrative Officer may not enter into any proposed agreement if such proposed agreement is disapproved by the committee under this paragraph.

(d) Number and effective date of requests for withholding; change of designated State; revocation of request

(1) A Member or employee may have in effect at any time only one request for withholding under subsection (a), and such Member or employee may not have more than two such requests in effect with respect to different States during any one calendar year. The request for withholding is effective on the first day of the month in which the request is processed by the Chief Administrative Officer, but in no event later than on the first day of the first month beginning after the day on which such request is received by the Chief Administrative Officer, except that—

(A) when the Chief Administrative Officer first enters into an agreement with a State under subsection (a), a request for withholding shall be effective on such date as the Chief Administrative Officer may determine;

(B) when an individual first receives an appointment as an employee, the request shall be effective on the day of appointment, if the individual makes the request at the time of appointment; and

(C) when an individual first becomes a Member, the request shall be effective on the day such individual takes the oath of office as a Member, if the individual makes the request at such time.

(2) A Member or employee may change the State designated by such Member or employee for purposes of having withholdings made, and may request that the withholdings be remitted in accordance with such change. A Member or employee also may revoke any request of such Member or employee for withholding. Any change in the State designated or revocation is effective on the first day of the month in which the request or the revocation is processed by the Chief Administrative Officer, but in no event later than on the first day of the first month beginning after the day on which such request or revocation is received by the Chief Administrative Officer.

(e) Provisions as not imposing duty, burden, requirement or penalty on United States, House, or any officer or employee of United States; effect of filing paper, form, or document with Chief Administrative Officer

This section and section 4556 of this title impose no duty, burden, or requirement upon the United States, the House of Representatives, or