

COMPENSATION OF ADMINISTRATIVE ASSISTANT CHARGED TO SENATOR

Act Oct. 28, 1949, ch. 783, title I, §101(c)(1), 63 Stat. 974, provided that: “The basic compensation of the administrative assistant to a Senator shall be charged against the aggregate amount authorized to be paid for clerical assistance and messenger service in the office of such Senator.”

ADDITIONAL INCREASE IN CLERK HIRE

Act Oct. 28, 1949, ch. 783, title I, §101(c)(2), 63 Stat. 974, provided that: “The aggregate amount of the basic compensation authorized to be paid for clerical assistance and messenger service in the office of each Senator is increased by \$11,520.”

INCREASE OF CLERK HIRE FOR SENATORS

Act Dec. 20, 1944, ch. 617, §2(b), 58 Stat. 832, effective Jan. 1, 1945, provided: “The aggregate amount of the basic compensation authorized to be paid to employees in the offices of Senators (including employees of standing committees of which Senators are chairmen) is hereby increased by (1) \$4,020 in the case of each Senator from a State which has a population of less than four million inhabitants and (2) by \$5,040 in the case of each Senator from a State which has a population of four million or more inhabitants.”

RATE OF PAY FOR SENATE COMMITTEE STAFF MEMBERS FOR 1977 COMMITTEE SYSTEM REORGANIZATION

Pub. L. 95-4, Feb. 16, 1977, 91 Stat. 12, provided: “That (a) notwithstanding the limitations contained in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended and modified [2 U.S.C. 4575(e)], each eligible staff member of a new committee to whom section 703(d) of the Committee System Reorganization Amendments of 1977 [S. Res. 4, Feb. 4, 1977] applies may, during the transition period of such new committee, be paid gross annual compensation at the rate which that eligible staff member was receiving on January 4, 1977.

“(b) For purposes of subsection (a), the terms ‘eligible staff member’, ‘new committee’, and ‘transition period’ have the meanings given to them by section 701 of the Committee System Reorganization Amendments of 1977 [S. Res. 4, Feb. 4, 1977].”

1970 INCREASE IN PAY RATES OF CERTAIN EMPLOYEES OF LEGISLATIVE BRANCH

Adjustment by President pro tempore of Senate with respect to the Senate, by Finance Clerk of House with respect to the House of Representatives, and by Architect of the Capitol with respect to the Office of the Architect of the Capitol, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, of the rates of pay of employees of the legislative branch subject to section 214 of Pub. L. 90-206, with certain exceptions, by the amounts of the adjustment for corresponding rates for employees subject to the General Schedule, set out in section 5332 of Title 5, which had been made by section 2 of Pub. L. 91-231 raising such rates by 6 percent, see Pub. L. 91-231, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees.

1968 AND 1969 INCREASES IN COMPENSATION OF EMPLOYEES

This section deemed amended on and after July 1, 1969, see Salary Directives of President pro tempore of the Senate, June 12, 1968, and June 17, 1969, formerly set out as notes under section 60a-1 of this title.

RATES OF PAY FOR EMPLOYEES OF SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

Pub. L. 94-32, title I, §5, June 12, 1975, 89 Stat. 183, provided in part that: “Notwithstanding paragraph (3) of section 105(e) of the Legislative Branch Appropria-

tions Act, 1968, as amended [2 U.S.C. 4575(e)(3)], two employees of the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities may be paid at the highest gross rate provided in subparagraph (A) of such paragraph, and eleven employees of such committee may be paid at the next highest gross rate provided in such subparagraph.”

SECRETARY OF SENATE TO FIX COMPENSATION OF LEGISLATIVE CLERK AND JOURNAL CLERK

Pub. L. 86-213, Sept. 1, 1959, 73 Stat. 443, authorized Secretary of Senate to fix compensation of legislative clerk and journal clerk, on and after Sept. 1, 1959, at not to exceed \$7,620 basic per annum each.

§ 4575a. Change in maximum rates of pay for statutory employees

(i) Fixed salary positions

For any position for which the Secretary of the Senate disburses the pay for the position and for which the specific amount of the rate of pay for the particular position is fixed by statute on the day before the effective date of the amendments made by this section, on and after such effective date the amount of the rate of pay for such position shall be fixed by the President pro tempore in an amount not to exceed the maximum rate of pay in effect under section 4575(f) of this title.

(ii) Positions with maximums

For any position for which the Secretary of the Senate disburses the pay for the position and for which the maximum rate of pay for the particular position is fixed by statute on the day before the effective date of the amendments made by this section, on and after such effective date the maximum rate of pay for such position shall be fixed by the President pro tempore, which shall not exceed the maximum rate of pay in effect under section 4575(f) of this title.

(Pub. L. 116-94, div. E, title II, §212(a)(1)(B), Dec. 20, 2019, 133 Stat. 2774.)

Editorial Notes

REFERENCES IN TEXT

The effective date of the amendments made by this section, referred to in text, is the effective date of section 212 of Pub. L. 116-94, which is set out in a note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the later of the first day of the first applicable pay period beginning on or after Jan. 1, 2020, or the first day of the first applicable pay period beginning on or after Dec. 20, 2019, see section 212(c) of Pub. L. 116-94, set out as an Effective Date of 2019 Amendment note under section 282b of this title.

§ 4576. Availability of appropriated funds for payment to an individual of pay from more than one position; conditions

(a) Notwithstanding any other provision of law, appropriated funds are available for payment to an individual of pay from more than one qualifying position if the aggregate gross pay from those positions does not exceed—

(1) the maximum rate specified in section 4575(d)(2) of this title, as amended and modified; or

(2) in a case where 1 or more of the individual's qualifying positions are positions described in subsection (d)(2)(B), the maximum rate specified in section 4575(e)(3) of this title, as amended and modified.

(b)(1) For an individual serving in more than 1 qualifying position under subsection (a), the cost of any travel for official business shall be paid by the office authorizing the travel.

(2) Messages for each electronic mail account used in connection with carrying out the official duties of an individual serving in more than 1 qualifying position under subsection (a) may be delivered to and sent from a single handheld communications device provided to the individual for purposes of official business.

(3)(A) For purposes of the Ethics in Government Act of 1978 (5 U.S.C. App.),¹ the rate of basic pay for an individual serving in more than 1 qualifying position under subsection (a) shall be the total basic pay received by the individual from all such positions.

(B) For an individual serving in more than one qualifying position under subsection (a), for purposes of the rights and obligations described in, or described in the provisions applied under, title II of the Congressional Accountability Act of 1995 (2 U.S.C. 1311 et seq.) related to practices used at a time when the individual is serving in such a qualifying position with an employing office, the rate of pay for the individual shall be the individual rate of pay received from the employing office.

(c)(1) If the duties of a qualifying position under subsection (a) include information technology services and support, an individual may only serve in the qualifying position and 1 or more additional qualifying positions under such subsection if the individual is in compliance with each information technology standard and policy established for Senate offices by the Office of the Sergeant at Arms and Doorkeeper of the Senate.

(2) Notwithstanding subsection (a), an employee serving in a qualifying position in the Office of the Secretary of the Senate or the Office of the Sergeant at Arms and Doorkeeper of the Senate may serve in an additional qualifying position only if—

(A) the other qualifying position is with the other Office; or

(B) the Committee on Rules and Administration of the Senate has approved the arrangement.

(d) In this section, the term “qualifying position” means a position that—

(1) is designated as a shared position for purposes of this section by the Senator or other head of the office in which the position is located; and

(2) is one of the following:

(A) A position—

(i) that is in the office of a Senator; and
(ii) the pay of which is disbursed by the Secretary of the Senate.

(B) A position—

(i) that is in any committee of the Senate (including a select or special com-

mittee) or a joint committee of Congress; and

(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading “inquiries and investigations” or “Joint Economic Committee”, or a heading relating to a Joint Congressional Committee on Inaugural Ceremonies.

(C) A position—

(i) that is in another office (excluding the Office of the Vice President and the Office of the Chaplain of the Senate); and

(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading “Salaries, Officers and Employees”.

(D) A position—

(i) that is filled pursuant to section 6311 of this title; and

(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading “miscellaneous items”.

(Pub. L. 95–94, title I, § 114, Aug. 5, 1977, 91 Stat. 665; Pub. L. 95–240, title II, § 207, Mar. 7, 1978, 92 Stat. 117; Pub. L. 100–202, § 101(i) [title I, § 9], Dec. 22, 1987, 101 Stat. 1329–290, 1329–295; Pub. L. 117–10, § 2(a), Apr. 23, 2021, 135 Stat. 259.)

Editorial Notes

REFERENCES IN TEXT

The Ethics in Government Act of 1978, referred to in subsec. (b)(3)(A), is Pub. L. 95–521, Oct. 26, 1978, 92 Stat. 1824. Titles I, IV, and V of the Act were classified principally to the Appendix to Title 5, Government Organization and Employees, and were substantially repealed and restated in chapter 131 (§ 13101 et seq.) of Title 5 by Pub. L. 117–286, §§ 3(c), 7, Dec. 27, 2022, 136 Stat. 4266, 4361. For complete classification of this Act to the Code, see Tables. For disposition of sections of the Act into chapter 131 of Title 5, see Disposition Table preceding section 101 of Title 5.

The Congressional Accountability Act of 1995, referred to in subsec. (b)(3)(B), is Pub. L. 104–1, Jan. 23, 1995, 109 Stat. 3. Title II of the Act is classified principally to subchapter II (§ 1311 et seq.) of chapter 24 of this title. For complete classification of this Act to the Code, see Short Title note under section 1301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 61–1a of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

Section is from the Congressional Operations Appropriation Act, 1978, which is title I of the Legislative Branch Appropriation Act, 1978.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117–10, § 2(a)(1), (2), designated existing provisions as subsec. (a) and substituted “qualifying position if the aggregate gross pay from those positions does not exceed—” and pars. (1) and (2) for “position, each of which is either in the office of a Senator and the pay of which is disbursed by the Secretary of the Senate or is in another office and the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘Salaries, Officers, and Employees’, if the aggregate gross

¹ See References in Text note below.

pay from those positions does not exceed the maximum rate specified in section 4575(d)(2) of this title.”

Subsecs. (b) to (d). Pub. L. 117–10, §2(a)(3), added subsecs. (b) to (d).

1987—Pub. L. 100–202 amended section generally. Prior to amendment, section read as follows: “Notwithstanding any other provision of law, appropriated funds are available for payment to an individual of pay from more than one position, the pay for each of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘Salaries, Officers and Employees’, if the aggregate gross pay from those positions does not exceed the amount specified in section 61–1(d)(2)(ii) of this title.”

1978—Pub. L. 95–240 substituted provisions relating to pay disbursed by Secretary of Senate from appropriation with the heading for salaries, etc., for provisions requiring positions to be in office of a Senator and the pay for each disbursed by Secretary of Senate.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 117–10, §2(b), Apr. 23, 2021, 135 Stat. 261, provided that: “The amendments made by subsection (a) [amending this section] shall take effect beginning on the day that is 6 months after the date of enactment of this Act [Apr. 23, 2021].”

§ 4577. Availability of appropriations during first three months of any fiscal year for aggregate of payments of gross compensation made to employees from Senate appropriation account for “Salaries, Officers and Employees”

At no time during the first three months of any fiscal year (commencing with the fiscal year which begins October 1, 1984) shall the aggregate of payments of gross compensation made to employees out of any line item appropriation within the Senate appropriation account for “Salaries, Officers and Employees” (other than the line item appropriations, within such account for “Administrative, clerical, and legislative assistance to Senators” and for “Agency contributions”) exceed twenty-five per centum of the total amount available for such line item appropriations for such fiscal year.

(Pub. L. 98–367, title I, §4, July 17, 1984, 98 Stat. 475.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 61–1b 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.

§ 4578. Restriction on payment of dual compensation by Secretary of Senate

Unless otherwise specifically authorized by law, no part of any appropriation disbursed by the Secretary of the Senate shall be available for payment of compensation to any person holding any position, for any period for which such person received compensation for holding any other position, the compensation for which is disbursed by the Secretary of the Senate.

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

Editorial Notes

CODIFICATION

Section was formerly classified to section 66a of this title prior to editorial reclassification and renumbering as this section.

§ 4579. Student loan repayment program for Senate employees

(a) Definitions

In this section:

(1) Departure date

The term “departure date” means the earlier of—

(A) the date on which the term of a departing Senator or Vice President ends; or

(B) the date on which the departing Senator or Vice President will retire or resign.

(2) Departing Senator or Vice President

The term “departing Senator or Vice President” means a Senator or Vice President who will not serve in the next term due to retirement, resignation, a decision to not seek reelection, or a failure to secure reelection.

(3) Eligible employee

The term “eligible employee” means an individual, except as provided under subsection (b)(3)—

(A) who is an employee of the Senate; and

(B) whose rate of pay as an employee of the Senate, on the date on which such eligibility is determined, does not exceed the rate of basic pay payable for a position at level IV of the Executive Schedule under section 5315 of title 5.

(4) Employee of the Senate

The term “employee of the Senate”—

(A) has the meaning given the term under section 1301 of this title; and

(B) includes any employee of the Office of Congressional Accessibility Services whose pay is disbursed by the Secretary of the Senate.

(5) Employing office

The term “employing office”—

(A) means the employing office, as defined under section 1301 of this title, of an employee of the Senate; and

(B) includes the Office of Congressional Accessibility Services with respect to employees of that office whose pay is disbursed by the Secretary of the Senate.

(6) Secretary

The term “Secretary” means the Secretary of the Senate.

(7) Student loan

The term “student loan” means—

(A) a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., or 1087aa et seq.); and

(B) a health education assistance loan made or insured under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.), or under part E of title VIII of such Act (42 U.S.C. 297a et seq.).