

of fiscal year 2005 occurring on and after December 8, 2004, and to each succeeding fiscal year.

(Pub. L. 108-447, div. G, title II, § 210, Dec. 8, 2004, 118 Stat. 3194; Pub. L. 112-74, div. G, title I, § 1401(a), Dec. 23, 2011, 125 Stat. 1134.)

Editorial Notes

CODIFICATION

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

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

AMENDMENTS

2011—Subsec. (d). Pub. L. 112-74, § 1401(a)(1), struck out subsec. (d). Prior to amendment, text read as follows: “This section shall not apply to any office which is an Executive agency under section 105 of title 5 or any employee of such an office.”

Subsec. (f)(2)(A). Pub. L. 112-74, § 1401(a)(2), substituted “title 5, but excluding the Government Accountability Office” for “title 5”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-74, div. G, title I, § 1401(c), Dec. 23, 2011, 125 Stat. 1134, provided that: “The amendments made by this section [amending this section and section 3521 of Title 5, Government Organization and Employees] shall apply with respect to voluntary separation incentive payments made during fiscal year 2012 or any succeeding fiscal year.”

§ 4506. Death gratuity payments as gifts

Any death gratuity payment at any time specifically appropriated by any Act of Congress or at any time made out of the applicable accounts of the House of Representatives or the contingent fund of the Senate shall be held to have been a gift.

(June 5, 1952, ch. 369, Ch. I, 66 Stat. 101; Pub. L. 104-186, title II, § 203(6), Aug. 20, 1996, 110 Stat. 1725.)

Editorial Notes

CODIFICATION

Section was formerly classified identically to sections 38b and 125a of this title. Section 38b was omitted from the Code and section 125a was editorially reclassified and renumbered as this section.

AMENDMENTS

1996—Pub. L. 104-186 substituted “applicable accounts of the House of Representatives or the contingent fund” for “contingent fund of the House of Representatives or”.

§ 4507. Longevity compensation

(a) Eligible employees

This section shall apply¹ to—

(1) each employee of the Senate whose compensation is paid from the appropriation for Salaries, Officers and Employees under the following headings:

(A) Office of the Secretary, including individuals employed under authority of section 6538 of this title;

(B) Office of the Sergeant at Arms and Doorkeeper, except employees designated as “special employees”; and

(C) Offices of the Secretaries for the Majority and the Minority;

(2) each employee of the Senate authorized by Senate resolution to be appointed by the Secretary of the Senate or the Sergeant at Arms and Doorkeeper, except employees designated as “special employees”; and

(3) each employee of the Capitol Guide Service established under section 2166² of this title.

(b) Rate of compensation; limitation on increases; computation of service; effective date of payment

(1) Except as provided in paragraph (2), an employee to whom this section applies shall be paid, during any period of continuous creditable service, additional annual compensation (hereinafter referred to as “longevity compensation”) at the rate of \$482 for (A) each year of creditable service performed for the first five years and (B) each two years of creditable service performed during the twenty-year period following the first five years.

(2) The amount of longevity compensation which may be paid to an employee, when added to his regular annual compensation, shall not exceed the maximum annual compensation which may be paid to Senate employees generally as prescribed by law or orders of the President pro tempore issued under authority of section 4571 of this title.

(3) For purposes of this section—

(A) creditable service includes (i) service performed as an employee described in subsection (a), (ii) service performed as a member of the Capitol Police or as an employee of the United States Capitol Telephone Exchange while compensation therefor is disbursed by the Clerk of the House of Representatives, and (iii) service which is creditable for purposes of this section as in effect on September 30, 1978;

(B) in computing length of continuous creditable service, only creditable service performed subsequent to August 31, 1957, shall be taken into account, except that, in the case of service as an employee employed under authority of section 6538 of this title, only creditable service performed subsequent to January 2, 1971, shall be taken into account; and

(C) continuity of creditable service shall not be deemed to be broken by separations from service of not more than thirty days, by the performance of service as an employee (other than an employee subject to the provisions of this section) whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, or by the performance of active military service in the armed forces of the United States, but periods of such separations and service shall not be creditable service.

(4) Longevity compensation shall be payable on and after the first day of the first month fol-

¹ See Inapplicability of Section to Certain Employees note below.

² See References in Text note below.

lowing completion of each period of creditable service upon which such compensation is based. (Pub. L. 87-730, §106(a), (b), (d), Oct. 2, 1962, 76 Stat. 694, 695; Pub. L. 88-454, §104(b), Aug. 20, 1964, 78 Stat. 550; Pub. L. 90-57, §105(g), July 28, 1967, 81 Stat. 143; Pub. L. 90-206, title II, §214(n), Dec. 16, 1967, 81 Stat. 637; Pub. L. 91-656, §4, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 436; Pub. L. 95-240, title II, §205, Mar. 7, 1978, 92 Stat. 117; Pub. L. 95-391, title I, §110(a), Sept. 30, 1978, 92 Stat. 774; Pub. L. 96-304, title I, §107(b), July 8, 1980, 94 Stat. 890.)

Editorial Notes

REFERENCES IN TEXT

Section 2166 of this title, referred to in subsec. (a)(3), was repealed by Pub. L. 110-437, title IV, §422(a), Oct. 20, 2008, 122 Stat. 4996.

CODIFICATION

Section was formerly classified to section 60j 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.

Subsecs. (a) and (b) of this section are from subsecs. (a) and (b) of section 106 of the Legislative Branch Appropriation Act, 1963 (Pub. L. 87-730). Subsec. (c) of this section was the second sentence of subsec. (d) of section 106, and was repealed by section 104(b) of Pub. L. 88-454. Subsec. (c) of section 106 repealed section 60i of this title, and the first sentence of subsec. (d) of section 106 repealed section 105 of the Legislative Branch Appropriation Act, 1959.

AMENDMENTS

1982—Subsec. (b)(1). Figure “463” deemed to refer to the figure “482”, effective Oct. 1, 1982, pursuant to Pub. L. 91-656, §4, see section 10 of Salary Directive of President pro tempore of the Senate, Oct. 1, 1982, set out as a note under section 60a-1 of this title.

1981—Subsec. (b)(1). Figure “\$441” deemed to refer to the figure “\$463”, effective Oct. 1, 1981, pursuant to Pub. L. 91-656, §4, see section 9 of Salary Directive of President pro tempore of the Senate, Oct. 5, 1981, set out as a note under section 60a-1 of this title.

1980—Subsec. (b)(1). Figure “404” deemed to refer to the figure “441”, effective Oct. 1, 1980, pursuant to Pub. L. 91-656, §4, see section 10 of Salary Directive of President pro tempore of the Senate, Oct. 1, 1980, set out as a note under section 60a-1 of this title.

Pub. L. 96-304 substituted “\$404” for “two times the multiple contained in section 1(a) of the applicable Order of the President Pro Tempore of the Senate issued under authority of section 60a-1 of this title”.

1978—Subsec. (a). Pub. L. 95-391 in par. (1) substituted cls. (A) to (C) for provisions respecting heading “Office of the Secretary”, except the Assistant to the Majority and the Assistant to the Minority, in par. (2) substituted provisions relating to employees appointed by the Secretary of the Senate or the Sergeant at Arms and Doorkeeper, under a Senate resolution, for provisions relating to employees under the heading “Office of Sergeant at Arms and Doorkeeper”, in par. (3) substituted provisions relating to employees of the Capitol Guide Service for provisions relating to employees under the heading “Official Reporters of Debates”, and struck out pars. (4) to (8) relating to, respectively, employees under heading “Offices of the Secretaries for the Majority and the Minority”, employees appointed by the Secretary or Sergeant at Arms, telephone operators on the United States Capitol exchange, members of the Capitol Police, and the Chief Guide, etc., of the Capitol Guide Service.

Pub. L. 95-240 inserted reference to Deputy Chief Guide in par. (8).

Subsec. (b). Pub. L. 95-391 substituted provisions setting forth requirements respecting the computation, except as provided in par. (2), of additional annual compensation for any employee to whom this section applies during any period of continuous creditable service, for provisions setting forth requirements respecting the computation of additional gross compensation for any employee to whom this section applies during any period of continuous service.

1977—Subsec. (b). Figure “1,002” deemed to refer to the figure “1,074”, effective Oct. 1, 1977, pursuant to Pub. L. 91-656, §4, see section 4(c) of Salary Directive of President pro tempore of the Senate, Sept. 29, 1977, set out as a note under section 60a-1 of this title.

1976—Subsec. (b). Figure “954” deemed to refer to the figure “1,002”, effective Oct. 1, 1976, pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Oct. 8, 1976, set out as a note under section 60a-1 of this title.

1975—Subsec. (b). Figure “906” deemed to refer to the figure “954”, effective Oct. 1, 1975, pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Oct. 2, 1975, set out as a note under section 60a-1 of this title.

1974—Subsec. (a)(8). Pub. L. 93-371 added par. (8).

Subsec. (b). Figure “855” deemed to refer to the figure “906”, effective Oct. 1, 1974, pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Oct. 7, 1974, set out as a note under section 60a-1 of this title.

1973—Subsec. (b). Figure “816” deemed to refer to the figure “855”, effective Oct. 1, 1973, pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Oct. 4, 1973, set out as a note under section 60a-1 of this title.

1972—Subsec. (b). Figure “777” deemed to refer to the figure “816” pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Dec. 16, 1972, set out as a note under section 60a-1 of this title.

1971—Subsec. (b). Figure “738” deemed to refer to the figure “777”, effective Jan. 1, 1972, pursuant to Pub. L. 91-656, §4, see section 4(d) of Salary Directive of President pro tempore of the Senate, Dec. 23, 1971, set out as a note under section 60a-1 of this title.

Figure “696” deemed to refer to the figure “738”, effective Feb. 1, 1971, pursuant to Pub. L. 91-656, see section 4(d) of Salary Directive of President pro tempore of the Senate, Jan. 15, 1971, set out as a note under section 60a-1 of this title.

1969—Subsec. (b). Figure “597”, as increased by Order of June 12, 1968, deemed, on and after July 1, 1969, to refer to the figure “657”, pursuant to Pub. L. 90-206, §225(h), see section 4(c) of Salary Directive of President pro tempore of the Senate, June 17, 1969, set out as a note under section 60a-1 of this title.

1968—Subsec. (b). Figure “564”, deemed, on and after July 1, 1968, to refer to the figure “597”, pursuant to Pub. L. 90-206, §225(h), see section 1(h) of Salary Directive of President pro tempore of the Senate, June 12, 1968, set out as a note under section 60a-1 of this title.

1967—Subsec. (b). Pub. L. 90-206, §214(n), substituted “\$564” for “540”.

Pub. L. 90-57 substituted in first sentence “gross compensation” and “\$540 per annum” for “basic compensation” and “\$120 per annum” and struck out “if at the time of such payment the annual rate of basic compensation (exclusive of longevity compensation) of the position in which employed is less than \$1,800, or \$180 per annum if at such time such rate is \$1,800 or more,” before “for each five years of service”.

1964—Subsec. (c). Pub. L. 88-454 repealed subsec. (c) which related to increases for members of Capitol Police.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Pub. L. 96-304, title I, §107(d), July 8, 1980, 94 Stat. 890, provided that: “The amendments made by this section

[amending this section, section 4575, and former section 60j-3 of this title] shall take effect on October 1, 1980.”

EFFECTIVE DATE OF 1978 AMENDMENTS

Pub. L. 95-391, title I, §110(b), Sept. 30, 1978, 92 Stat. 775, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on the first day of the first month which begins after the date of the enactment of this Act [Sept. 30, 1978]. The gross compensation of employees entitled to longevity compensation on such first day under section 106 of the Legislative Branch Appropriation Act, 1963 [this section], shall be adjusted in accordance with the provisions of such section as amended by subsection (a). No increase in compensation by reason of such amendment shall take effect for any pay period beginning before such first day, and no monetary benefit by reason of such amendment shall accrue for any period before such first day.”

Pub. L. 95-240, title II, §205, Mar. 7, 1978, 92 Stat. 117, provided that the amendment made by that section is effective Oct. 1, 1977.

EFFECTIVE DATE OF 1967 AMENDMENTS

Amendment by Pub. L. 90-206 effective at beginning of first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

Amendment by Pub. L. 90-57 effective Aug. 1, 1967, see section 105(k) of Pub. L. 90-57, set out as an Effective Date note under section 4575 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-454 effective Sept. 1, 1964, see section 104(d) of Pub. L. 88-454, set out as a note under section 1927 of this title.

EFFECTIVE DATE

Pub. L. 87-730, §106(e), Oct. 2, 1962, 76 Stat. 695, provided that: “This section [enacting this section and amending former section 60i of this title] shall become effective on September 1, 1962.”

TRANSFER OF FUNCTIONS

For transfer of authorities, personnel, assets, and liabilities of the Capitol Guide Service to the Office of the Capitol Visitor Center and the Office of Congressional Accessibility Services, see sections 2241 and 2252 of this title.

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

INAPPLICABILITY OF SECTION TO CERTAIN EMPLOYEES

This section not to apply, on or after Oct. 1, 1983, to any individual whose pay is disbursed by the Secretary of the Senate except for individuals entitled to longevity compensation prior to Oct. 1, 1983, on the basis of service performed prior to such date, see section 4509 of this title.

§ 4508. Longevity compensation for telephone operators on United States telephone exchange and members of Capitol Police paid by Chief Administrative Officer of House

The provisions of subsections (a) and (b) of section 4507¹ of this title (as amended by section 110 of Pub. L. 95-391), shall apply to telephone

¹ See Inapplicability of Section 4507 to Certain Employees note below.

operators (including the chief operator and assistant chief operators) on the United States Capitol telephone exchange and members of the Capitol Police whose compensation is disbursed by the Chief Administrative Officer of the House of Representatives in the same manner and to the same extent as such provisions apply to individuals whose compensation is disbursed by the Secretary of the Senate. For purposes of so applying such subsections, creditable service shall include service performed as an employee of the United States Capitol telephone exchange or a member of the Capitol Police whether compensation therefor is disbursed by the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate.

(Pub. L. 95-391, title III, §310, Sept. 30, 1978, 92 Stat. 790; Pub. L. 104-186, title II, §204(8), Aug. 20, 1996, 110 Stat. 1731.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 60j-2 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Pub. L. 104-186 struck out “(a)” before “The provisions” and substituted “Chief Administrative Officer” for “Clerk” in two places.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Statutory functions, duties, or authority of Chief Administrative Officer of the House of Representatives or the Secretary of the Senate as disbursing officers for the Capitol Police transferred to Chief of the Capitol Police, and references in any law or resolution before Feb. 20, 2003, to funds paid or disbursed by Chief Administrative Officer of the House of Representatives and Secretary of the Senate relating to pay and allowances of Capitol Police employees deemed to refer to Chief of the Capitol Police. See section 1907(a) of this title.

INAPPLICABILITY OF SECTION 4507 TO CERTAIN EMPLOYEES

Section 4507 of this title, referred to in text, not to apply, on or after Oct. 1, 1983, to any individual whose pay is disbursed by the Secretary of the Senate except for individuals entitled to longevity compensation prior to Oct. 1, 1983, on the basis of service performed prior to such date, see section 4509 of this title.

§ 4509. Longevity compensation not applicable to individuals paid by Secretary of Senate; savings provision

Section 4507 of this title on or after October 1, 1983 shall not apply to any individual whose pay is disbursed by the Secretary of the Senate; except that, any individual who prior to such date was entitled to longevity compensation under such section on the basis of service performed prior to such date shall continue to be entitled to such compensation, but no individual shall accrue any longevity compensation on the basis of service performed on or after such date.

(Pub. L. 98-51, title I, §107, July 14, 1983, 97 Stat. 267.)