

(i) Effective date

This section shall apply to fiscal year 2002 and each fiscal year thereafter.

(Pub. L. 107-68, title I, § 102, Nov. 12, 2001, 115 Stat. 563; Pub. L. 107-117, div. B, § 916, Jan. 10, 2002, 115 Stat. 2324; Pub. L. 112-74, div. G, title I, § 1001(a), (b), Dec. 23, 2011, 125 Stat. 1124; Pub. L. 115-141, div. I, title I, § 103(a), Mar. 23, 2018, 132 Stat. 772; Pub. L. 116-260, div. I, title I, § 105(a), Dec. 27, 2020, 134 Stat. 1632.)

Editorial Notes**REFERENCES IN TEXT**

The Higher Education Act of 1965, referred to in subsec. (a)(5)(A), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Parts B, D, and E of title IV of the Act are classified to parts B (§1071 et seq.), D (§1087a et seq.), and E (§1087aa et seq.), respectively, of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

The Public Health Service Act, referred to in subsec. (a)(5)(B), is act July 1, 1944, ch. 373, 58 Stat. 682. Part A of title VII of the Act is classified generally to part A (§292 et seq.) of subchapter V of chapter 6A of Title 42, The Public Health and Welfare. Part E of title VIII of the Act is classified generally to part E (§297a et seq.) of subchapter VI of chapter 6A of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

Section 6568(c) of this title, referred to in subsec. (d)(4)(A), was in the original “section 104(c) of the Legislative Appropriation Act, 1977”, and was translated as reading “section 104(c) of the Legislative Branch Appropriation Act, 1977”, to reflect the probable intent of Congress.

Section 4108 of this title, referred to in subsec. (e)(2), was in the original “section 105(a) of the Legislative Branch Act, 1965”, and was translated as reading “section 105(a) of the Legislative Branch Appropriation Act, 1965”, to reflect the probable intent of Congress.

CODIFICATION

Section was formerly classified to section 60c-5 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.

AMENDMENTS

2020—Subsec. (c)(2)(A)(i). Pub. L. 116-260, § 105(a)(1)(A), substituted “\$833” for “\$500”.

Subsec. (c)(2)(A)(ii). Pub. L. 116-260, § 105(a)(1)(B), substituted “\$80,000” for “\$40,000”.

Subsec. (h)(1). Pub. L. 116-260, § 105(a)(2), substituted “2.5 percent” for “2 percent” in subpars. (A) and (B).

2018—Subsec. (a)(1), (2). Pub. L. 115-141, § 103(a)(1)(B), added pars. (1) and (2). Former pars. (1) and (2) redesignated (3) and (4), respectively.

Subsec. (a)(3). Pub. L. 115-141, § 103(a)(1)(A), redesignated par. (1) as (3). Former par. (3) redesignated (5).

Subsec. (a)(3)(B). Pub. L. 115-141, § 103(a)(1)(C), substituted “rate of basic pay payable for a position at level IV of the Executive Schedule under section 5315 of title 5.” for “rate of basic pay for an employee for a position at ES-1 of the Senior Executive Schedule as provided for in subchapter VIII of chapter 53 of title 5 (including any locality pay adjustment applicable to the Washington, D.C.-Baltimore, Maryland consolidated metropolitan statistical area).”

Subsec. (a)(4) to (7). Pub. L. 115-141, § 103(a)(1)(A), redesignated pars. (2) to (5) as (4) to (7), respectively.

Subsec. (b)(1)(A)(ii). Pub. L. 115-141, § 103(a)(2), struck out “1-year” before “required period”.

Subsec. (c)(1). Pub. L. 115-141, § 103(a)(3), designated existing provisions as subpar. (A), inserted heading

substituted “Except as provided in subparagraph (B), the term” for “The term”, and added subpar. (B).

Subsec. (d)(2). Pub. L. 115-141, § 103(a)(4)(A), struck out “or” at end of subpar. (A), substituted a semicolon for “under subsection (f)(7).” at end of subpar. (B), and added subpars. (C) and (D).

Subsec. (d)(3). Pub. L. 115-141, § 103(a)(4)(B), inserted “(including a required period of employment described in subsection (c)(1)(B))” after “required period of employment”.

Subsec. (f)(7). Pub. L. 115-141, § 103(a)(5), added par. (7) and struck out former par. (7). Prior to amendment, text read as follows: “Notwithstanding the terms of a service agreement under this section, the head of an employing office may reduce the amount of student loan payments made under the agreement if adequate funds are not available to such office. If the head of the employing office decides to reduce the amount of student loan payments for an eligible employee, the head of the office and the employee may mutually agree to terminate the service agreement.”

2011—Subsec. (a)(1). Pub. L. 112-74, § 1001(a)(1), inserted “, except as provided under subsection (b)(3)” after “means an individual” in introductory provisions.

Subsec. (a)(2), (3). Pub. L. 112-74, § 1001(a)(2), added pars. (2) and (3) and struck out former pars. (2) and (3) which read as follows:

“(2) EMPLOYEE OF THE SENATE.—The term ‘employee of the Senate’ has the meaning given the term in section 1301 of this title.

“(3) EMPLOYING OFFICE.—The term ‘employing office’ means the employing office, as defined in section 1301 of this title, of an employee of the Senate.”

Subsec. (b)(3). Pub. L. 112-74, § 1001(b), added par. (3).

2002—Subsec. (a). Pub. L. 107-117, § 916(1), redesignated pars. (2) to (6) as (1) to (5), respectively, and struck out heading and text of former par. (1). Text read as follows: “The term ‘Committee’ means the Committee on Rules and Administration of the Senate.”

Subsec. (g)(1). Pub. L. 107-117, § 916(2), substituted “subsection (h)(1)(A)” for “subsection (i)(1)(A)” in subpar. (A) and “subsection (h)(1)(B)” for “subsection (i)(1)(B)” in subpar. (B).

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2020 AMENDMENT**

Pub. L. 116-260, div. I, title I, § 105(b), Dec. 27, 2020, 134 Stat. 1632, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on March 1, 2021.”

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-141, div. I, title I, § 103(b), Mar. 23, 2018, 132 Stat. 774, provided that: “The amendments made by this section [amending this section] shall—

“(1) take effect on the date of enactment of this Act [Mar. 23, 2018]; and

“(2) apply to a service agreement under section 102 of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 4579) that is in effect on the date of enactment of this Act or entered into on or after the date of enactment of this Act.”

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-74, div. G, title I, § 1001(c), Dec. 23, 2011, 125 Stat. 1124, provided that: “The amendments made by this section [amending this section] shall take effect on the date of enactment of this Act [Dec. 23, 2011] and apply to service agreements entered into under section 102 of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c-5) [now 2 U.S.C. 4579] or section 5379 of title 5, United States Code, on or after that date.”

§ 4580. Lump sum payment for accrued annual leave of Senate employees**(a) Authorization**

The head of the employing office of an employee of the Senate may, upon termination of

employment of the employee, authorize payment of a lump sum for the accrued annual leave of that employee if—

(1) the head of the employing office—

(A) has approved a written leave policy authorizing employees to accrue leave and establishing the conditions upon which accrued leave may be paid; and

(B) submits written certification to the Financial Clerk of the Senate of the number of days of annual leave accrued by the employee for which payment is to be made under the written leave policy of the employing office; and

(2) there are sufficient funds to cover the lump sum payment.

(b) Rates

(1) A lump sum payment under this section shall not exceed the lesser of—

(A) twice the monthly rate of pay of the employee; or

(B) the product of the daily rate of pay of the employee and the number of days of accrued annual leave of the employee.

(2) The Secretary of the Senate shall determine the rates of pay of an employee under paragraph (1)(A) and (B) on the basis of the annual rate of pay of the employee in effect on the date of termination of employment.

(c) Source of payment

Any payment under this section shall be paid from the appropriation account or fund used to pay the employee.

(d) Reemployment refund

If an individual who received a lump sum payment under this section is reemployed as an employee of the Senate before the end of the period covered by the lump sum payment, the individual shall refund an amount equal to the applicable pay covering the period between the date of reemployment and the expiration of the lump sum period. Such amount shall be deposited to the appropriation account or fund used to pay the lump sum payment.

(e) Regulations

The Committee on Rules and Administration of the Senate may prescribe regulations to carry out this section.

(f) Definitions

In this section, the term—

(1) “employee of the Senate” means any employee whose pay is disbursed by the Secretary of the Senate, except that the term does not include a member of the Capitol Police or a civilian employee of the Capitol Police; and

(2) “head of the employing office” means any person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an individual whose pay is disbursed by the Secretary of the Senate.

(Pub. L. 106-554, § 1(a)(2) [title I, § 6], Dec. 21, 2000, 114 Stat. 2763, 2763A-97.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 600 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 2001, which is title I of the Legislative Branch Appropriations Act, 2001.

§ 4581. Aggregate gross compensation of employee of Senator of State with population under 5,000,000

(a) Notwithstanding the provisions of section 4575(d)(1) of this title, and except as otherwise provided in subparagraph (C) of such subsection (d)(1), the aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each fiscal year \$1,012,083 if the population of his State is less than 5,000,000.

(b) Subsection (a) shall take effect October 1, 1991.

(Pub. L. 102-90, title I, § 5, Aug. 14, 1991, 105 Stat. 450.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 61-1c of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1992, which is title I of the Legislative Branch Appropriations Act, 1992.

PART B—ADMINISTRATION

§ 4591. Vice President, Senators, officers, and employees paid by Secretary of Senate; payment of salary; advance payment

The compensation of the Vice President, Senators, and officers and employees, whose compensation is disbursed by the Secretary of the Senate, shall be payable on the fifth day of the month following the month in which such compensation accrued, except that—

(1) Repealed. Pub. L. 97-51, § 111(a)(1), Oct. 1, 1981, 95 Stat. 962;

(2) when such fifth or twentieth day falls on Saturday, Sunday, or on a legal holiday (including any holiday on which the banks of the District of Columbia are closed pursuant to law), such compensation shall be payable on the next preceding workday; and

(3) any part of such compensation accrued for any month may, in the discretion of the Secretary of the Senate, be paid prior to the day specified in the preceding provisions of this section.

For purposes of title 26 and for accounting and reporting purposes, disbursements made in accordance with this section on the fifth day of a month, or on the next preceding workday if such fifth day falls on Saturday, Sunday, or a legal holiday, shall be considered to have been made on the last day of the preceding month.

(Pub. L. 86-426, § 1, Apr. 20, 1960, 74 Stat. 53; Pub. L. 92-136, § 6, Oct. 11, 1971, 85 Stat. 378; Pub. L. 96-38, title I, § 108(a), July 25, 1979, 93 Stat. 113; Pub. L. 97-51, §§ 111(a), 112(a), Oct. 1, 1981, 95 Stat. 962; Pub. L. 97-257, title I, § 105(a), Sept. 10, 1982,