

Sec.

- (a) Waiver of claim for erroneous payment of pay or allowances.
- (b) Investigation and report.
- (c) Prohibition of waiver.
- (d) Credit for waiver.
- (e) Effect of waiver.
- (f) Construction with other laws.
- (g) Rules and regulations.

130e. Special Services Office.

§ 60. Repealed. June 20, 1929, ch. 33, § 6, 46 Stat. 39

Section, acts May 24, 1924, ch. 183, § 1, 43 Stat. 146; May 29, 1928, ch. 853, § 1, 45 Stat. 885, related to rates of pay for various officers and employees of Government. See notes set out under section 60a-1 and section 60c-1 et seq. of this title.

§ 60-1. Authority of officers of Congress over Congressional employees

(a) Qualifications determinations; removal and discipline

Each officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

- (1) to determine, before the appointment of any individual as an employee under the supervision of that officer of the Congress, whether that individual possesses the qualifications necessary for the satisfactory performance of the duties and responsibilities to be assigned to him; and

- (2) to remove or otherwise discipline any employee under his supervision.

(b) “Officer of the Congress” defined

As used in this section, the term “officer of the Congress” means—

- (1) an elected officer of the Senate or House of Representatives who is not a Member of the Senate or House; and
- (2) The Architect of the Capitol.

(Pub. L. 91-510, title IV, § 431, Oct. 26, 1970, 84 Stat. 1190.)

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 72a of this title.

REDUCTION IN NUMBER OF EMPLOYEE POSITIONS; REPORTS

Pub. L. 103-69, title III, § 307, Aug. 11, 1993, 107 Stat. 710, as amended by Pub. L. 103-283, title III, § 305, July 22, 1994, 108 Stat. 1441; Pub. L. 104-316, title I, § 102(a), Oct. 19, 1996, 110 Stat. 3827, provided for reduction in number of employee positions on full-time equivalent basis, other than those supported by gift and trust funds, for each entity of legislative branch with more than 100 employee positions, on full-time equivalent basis, as of Sept. 30, 1992, by at least 4 percent from level as of such date, provided that such reduction was to be completed not later than Sept. 30, 1995, with at least 62.5 percent of reduction for each entity to be achieved by Sept. 30, 1994, and defined “entity of legislative branch”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 40 section 212a-2.

§ 60-2. Amendment to Senate conflict of interest rule

(a) Except as provided by subsection (b) of this section, any employee of the Senate who is required to file a report pursuant to Senate rules shall refrain from participating personally and substantially as an employee of the Senate in any contact with any agency of the executive or judicial branch of Government with respect to non-legislative matters affecting any non-governmental person in which the employee has a significant financial interest.

(b) Subsection (a) of this section shall not apply if an employee first advises his supervisor of his significant financial interest and obtains from such supervisor a written waiver stating that the participation of the employee is necessary. A copy of each such waiver shall be filed with the Select Committee.

(Pub. L. 101-194, title IX, § 903, Nov. 30, 1989, 103 Stat. 1781.)

§ 60a. Omitted

CODIFICATION

Present provisions relating to personnel and compensation of Congressional officers and employees may be found elsewhere in this chapter and in Acts and Resolutions cited in notes hereunder. Section was based on the following acts:

- 1949—Jan. 19, 1949, ch. 2, § 1(d), (f), 63 Stat. 4.
May 24, 1949, ch. 138, title I, 63 Stat. 76.
Oct. 10, 1949, ch. 662, title I, 63 Stat. 738.
Oct. 14, 1949, ch. 694, title I, 63 Stat. 869.
- 1948—June 14, 1948, ch. 467, §§ 101, 105, 62 Stat. 423, 437.
June 25, 1948, ch. 658, title I, 62 Stat. 1027.
- 1947—Jan. 31, 1947, ch. 1, 61 Stat. 1.
Feb. 19, 1947, ch. 3, 61 Stat. 4.
July 17, 1947, ch. 262, §§ 101, 105, 61 Stat. 361, 377.
July 30, 1947, ch. 361, 61 Stat. 610.
July 31, 1947, ch. 414, 61 Stat. 695.
- 1946—July 1, 1946, ch. 530, §§ 101, 105, 60 Stat. 387, 407.
July 23, 1946, ch. 591, title I, 60 Stat. 600.
Aug. 2, 1946, ch. 753, title II, § 201(a), 60 Stat. 834.
Aug. 8, 1946, ch. 870, title I, 60 Stat. 910.
- 1945—Apr. 25, 1945, ch. 95, title I, 59 Stat. 77.
June 13, 1945, ch. 189, §§ 101, 105, 59 Stat. 238, 259.
July 5, 1945, ch. 271, title I, 59 Stat. 412.
Dec. 28, 1945, ch. 589, title I, 59 Stat. 632.
- 1944—June 26, 1944, ch. 277, title I, §§ 101, 104, 58 Stat. 334, 354.
June 28, 1944, ch. 304, title I, 58 Stat. 597.
Dec. 22, 1944, ch. 660, title I, 58 Stat. 853.
- 1943—June 28, 1943, ch. 173, title I, §§ 101, 104, 57 Stat. 220, 239.
- 1942—June 8, 1942, ch. 396, §§ 1, 4, 56 Stat. 330, 349.
- 1941—Mar. 1, 1941, ch. 9, 55 Stat. 14.
July 1, 1941, ch. 268, §§ 1, 4, 55 Stat. 446, 465.
- 1940—June 18, 1940, ch. 396, §§ 1, 4, 54 Stat. 462, 480.
Oct. 9, 1940, ch. 780, title I, 54 Stat. 1030.
- 1939—June 16, 1939, ch. 208, §§ 1, 4, 53 Stat. 822, 839.
July 25, 1939, ch. 352, § 2, 53 Stat. 1080.
- 1938—May 17, 1938, ch. 236, §§ 1, 4, 52 Stat. 381, 398.
June 25, 1938, ch. 681, 52 Stat. 1114.
- 1937—May 18, 1937, ch. 223, 50 Stat. 169.
- 1934—May 30, 1934, ch. 372, 48 Stat. 817.
- 1933—Feb. 28, 1933, ch. 134, 47 Stat. 1350.
- 1929—June 20, 1929, ch. 33, 46 Stat. 32.

In addition to these acts the following House Resolutions affected the salary of certain employees and were made permanent law by section 105 of act July 17, 1947, ch. 262, 61 Stat. 377: House Resolutions 628, 691, and 693 of the Seventy-ninth Congress and House Resolutions 42, 54, 74, 78, 96, 113, and 183 [which related to Office of Coordinator of Information of the House and which was

repealed by Pub. L. 91-510, title III, § 322, Oct. 26, 1970, 84 Stat. 1185] of the Eightieth Congress. House Resolutions 281 and 336 of the Eightieth Congress were made permanent law by act June 14, 1948, ch. 467, § 105, 62 Stat. 437. House Resolutions No. 653 of the Eightieth Congress, and 6, 39, 45, 62, 84, 103, 172, and 188 of the 81st Congress were made permanent law by act June 22, 1949, ch. 235, § 105, 63 Stat. 230.

LEGISLATIVE BRANCH APPROPRIATION ACTS

The following acts have provided for funds for the operation of Congress:

Pub. L. 105-55, title I, Oct. 7, 1997, 111 Stat. 1177.
 Pub. L. 104-197, title I, Sept. 16, 1996, 110 Stat. 2394.
 Pub. L. 104-53, title I, Nov. 19, 1995, 109 Stat. 514.
 Pub. L. 103-283, title I, July 22, 1994, 108 Stat. 1423.
 Pub. L. 103-69, title I, Aug. 11, 1993, 107 Stat. 692.
 Pub. L. 102-392, title I, Oct. 6, 1992, 106 Stat. 1703.
 Pub. L. 102-90, title I, Aug. 14, 1991, 105 Stat. 447.
 Pub. L. 101-520, title I, Nov. 5, 1990, 104 Stat. 2254.
 Pub. L. 101-163, title I, Nov. 21, 1989, 103 Stat. 1041.
 Pub. L. 100-458, title I, Oct. 1, 1988, 102 Stat. 2158.
 Pub. L. 100-202, § 101(i) [title I], Dec. 22, 1987, 101 Stat. 1329-290.
 Pub. L. 99-500, § 101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, § 101(j), Oct. 30, 1986, 100 Stat. 3341-287.
 Pub. L. 99-151, title I, Nov. 13, 1985, 99 Stat. 792.
 Pub. L. 98-367, title I, July 17, 1984, 98 Stat. 472.
 Pub. L. 98-51, title I, July 14, 1983, 97 Stat. 263.
 Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189.
 Pub. L. 97-51, § 101(c), Oct. 1, 1981, 95 Stat. 959.
 Pub. L. 96-536, § 101(c), (d), Dec. 16, 1980, 94 Stat. 3167.
 Pub. L. 96-369, § 101(c), (d), Oct. 1, 1980, 94 Stat. 1352, 1353.
 Pub. L. 96-86, § 101(c), Oct. 12, 1979, 93 Stat. 657.
 Pub. L. 95-391, title I, Sept. 30, 1978, 92 Stat. 763.
 Pub. L. 95-94, title I, Aug. 5, 1977, 91 Stat. 653.
 Pub. L. 94-440, title I, Oct. 1, 1976, 90 Stat. 1439.
 Pub. L. 94-59, title I, July 25, 1975, 89 Stat. 269.
 Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 424.
 Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 527.
 Pub. L. 92-342, July 10, 1972, 86 Stat. 432.
 Pub. L. 92-51, July 9, 1971, 85 Stat. 125.
 Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 807.
 Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 339.
 Pub. L. 90-417, July 23, 1968, 82 Stat. 398.
 Pub. L. 90-57, July 28, 1967, 81 Stat. 127.
 Pub. L. 89-545, Aug. 27, 1966, 80 Stat. 354.
 Pub. L. 89-90, July 27, 1965, 79 Stat. 265.
 Pub. L. 88-454, Aug. 20, 1964, 78 Stat. 535.
 Pub. L. 88-248, Dec. 30, 1963, 77 Stat. 803.
 Pub. L. 87-730, Oct. 2, 1962, 76 Stat. 680.
 Pub. L. 87-130, Aug. 10, 1961, 75 Stat. 320.
 Pub. L. 86-628, July 12, 1960, 74 Stat. 446.
 Pub. L. 86-176, Aug. 21, 1959, 73 Stat. 398.
 Pub. L. 85-570, July 31, 1958, 72 Stat. 439.
 Pub. L. 85-75, July 1, 1957, 71 Stat. 244.
 June 27, 1956, ch. 453, 70 Stat. 356.
 Aug. 5, 1955, ch. 568, 69 Stat. 499.
 July 2, 1954, ch. 455, title I, 68 Stat. 396.
 Aug. 1, 1953, ch. 304, title I, 67 Stat. 318.
 July 9, 1952, ch. 598, 66 Stat. 464.
 Oct. 11, 1951, ch. 485, 65 Stat. 388.
 Sept. 6, 1950, ch. 896, Ch. II, 64 Stat. 595.
 June 22, 1949, ch. 235, 63 Stat. 216.

LIMITATION ON FUNDS AVAILABLE TO SENATE FOR FISCAL YEAR BEGINNING OCTOBER 1, 1980

Pub. L. 96-508, § 10, Dec. 8, 1980, 94 Stat. 2749, provided that in the fiscal year beginning October 1, 1980, the aggregate amount of funds made available to the Senate shall not exceed 90 per centum of the aggregate amount of the funds made available for such purposes for the fiscal year beginning on October 1, 1979.

SENATE AND HOUSE COMMITTEE EMPLOYEES

Senate and House committee employees, formerly provided for by this section, are covered by section 72a of this title.

§ 60a-1. Senate pay adjustments; action by President pro tempore of Senate

(a) Each time the President adjusts the rates of pay of employees under section 5303 of title 5 the President pro tempore of the Senate shall, as he considers appropriate—

(1)(A) adjust the rates of pay of personnel whose pay is disbursed by the Secretary of the Senate, and any minimum or maximum rate applicable to any such personnel; or

(B) in the case of such personnel whose rates of pay are fixed by or pursuant to law at specific rates, adjust such rates (including the adjustment of such specific rates to maximum pay rates) and, in the case of all other personnel whose pay is disbursed by the Secretary of the Senate, adjust only the minimum or maximum rates applicable to such other personnel; and

(2) adjust any limitation or allowance applicable to such personnel;

by percentages which are equal or equivalent, insofar as practicable and with such exceptions as may be necessary to provide for appropriate pay relationships between positions, to the percentages of the adjustments made by the President under such section 5303 for corresponding rates of pay for employees subject to the General Schedule contained in section 5332 of such title and adjust the rates of such personnel by such amounts as necessary to restore the same pay relationships that existed on December 31, 1986, between personnel and Senators and between positions. Such rates, limitations, and allowances adjusted by the President pro tempore shall become effective on the first day of the month in which any adjustment becomes effective under such section 5303 or section 3(c) of this Act.

(b) The adjustments made by the President pro tempore shall be made in such manner as he considers advisable and shall have the force and effect of law.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) No rate of pay shall be adjusted under the provisions of this section to an amount in excess of the rate of basic pay for level III of the Executive Schedule contained in section 5314 of title 5, except in cases in which it is necessary to restore and maintain the same pay relationships that existed on December 31, 1986, between personnel and Senators and between positions.

(e) For purposes of this section, the term "personnel" does not include any Senator.

(Pub. L. 91-656, § 4, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, § 3(a), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, § 14(a), Aug. 19, 1972, 86 Stat. 575; Pub. L. 94-82, title II, § 204(d), Aug. 9, 1975, 89 Stat. 422; Pub. L. 100-202, § 101(i) [title III, § 311(a), (b)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-310; Pub. L. 101-509, title V, § 529 [title I, § 101(b)(4)(E)], Nov. 5, 1990, 104 Stat. 1427, 1440.)

REFERENCES IN TEXT

Section 3(c) of this Act, referred to in subsec. (a), is section 3(c) of Pub. L. 91-656, which is set out as a note under section 5303 of Title 5, Government Organization and Employees.