

93-245, provided that: “The provisions of this resolution [enacting this section and repealing House Resolution No. 416, Eighty-ninth Congress, formerly classified to this section] shall become effective on January 1, 1974.”

§ 60h. Omitted

CODIFICATION

Section, act Apr. 25, 1945, ch. 95, title I, 59 Stat. 78, limited salary increases under section 60g of this title of standing committee clerks.

§ 60i. Repealed. Pub. L. 87-730, § 106(c), Oct. 2, 1962, 76 Stat. 695

Section, act Feb. 13, 1945, ch. 2, § 1, 59 Stat. 4, prescribed basic rates of compensation of telephone operators on the United States Capitol telephone exchange and authorized certain longevity increases. See section 60j of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1962, see section 106(e) of Pub. L. 87-730, set out as an Effective Date note under section 60j of this title.

PROHIBITION AGAINST PAYMENT OF LONGEVITY INCREASE AFTER SEPTEMBER 1, 1962

Section 106(c) of Pub. L. 87-730 provided in part that no longevity increase payable under authority of this section prior to Sept. 1, 1962, shall be payable on or after Sept. 1, 1962.

§ 60j. Longevity compensation

(a) Eligible employees

This section shall apply 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 74b 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 851 of title 40.

(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 60a-1 of this title.

(3) For purposes of this section—

(A) creditable service includes (i) service performed as an employee described in subsection (a) of this section, (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 74b 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 following 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.)

INAPPLICABILITY OF SECTION TO CERTAIN EMPLOYEES ON AND AFTER OCTOBER 1, 1983

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 60j-4 of this title.

CODIFICATION

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. See section 60j-1 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Section 107(d) of Pub. L. 96-304 provided that: “The amendments made by this section [amending this section and sections 60j-3 and 61-1 of this title] shall take effect on October 1, 1980.”

EFFECTIVE DATE OF 1978 AMENDMENTS

Section 110(b) of Pub. L. 95-391 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.”

Section 205 of Pub. L. 95-240 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 61-1 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 an Effective Date note under section 60j-1 of this title.

EFFECTIVE DATE

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

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Fi-

nancial 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 60j-1, 60j-2, 60j-4, 61-1 of this title.

§ 60j-1. Capitol Police longevity compensation

Any member of the Capitol Police who by reason of the provision repealed by subsection (b) was receiving immediately prior to September 1, 1964, longevity compensation provided by section 105¹ of the Legislative Branch Appropriation Act, 1959, shall, on and after September 1, 1964, receive in lieu thereof a longevity increase under section 60j(b) of this title, in addition to any other such increases (not to exceed three) to which he may otherwise be entitled under such section. In computing the length of service of such member for the purpose of such other increases, only service performed subsequent to the date on which he began receiving longevity compensation in accordance with such section 105¹ shall be counted.

(Pub. L. 88-454, §104(c), Aug. 20, 1964, 78 Stat. 550.)

INAPPLICABILITY OF SECTION TO CERTAIN EMPLOYEES ON AND AFTER OCTOBER 1, 1983

Section 60j 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 60j-4 of this title.

REFERENCES IN TEXT

The provision repealed by subsection (b), referred to in text, means subsec. (c) of section 60j of this title.

Section 105 of the Legislative Branch Appropriation Act, 1959, referred to in text, is section 105 of Pub. L. 85-570, July 31, 1958, 72 Stat. 453, which was repealed by Pub. L. 87-730, §106(d), Oct. 2, 1962, 76 Stat. 695.

EFFECTIVE DATE

Section 104(d) of Pub. L. 88-454 provided that: "This section [enacting this section and amending section 60j of this title] shall become effective on the first day of the month following the date of enactment of this Act [Aug. 20, 1964]."

§ 60j-2. 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 60j of this title (as amended by section 110 of Pub. L. 95-391), shall apply to telephone 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 in-

dividuals 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.)

INAPPLICABILITY OF SECTION TO CERTAIN EMPLOYEES ON AND AFTER OCTOBER 1, 1983

Section 60j 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 60j-4 of this title.

AMENDMENTS

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

§ 60j-3. Repealed. Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189

Section, Pub. L. 95-391, title I, §109, Sept. 30, 1978, 92 Stat. 773; Pub. L. 96-304, title I, §107(c), July 8, 1980, 94 Stat. 890, provided for merit compensation for employees rated as outstanding and exceptional by Secretary of Senate and Sergeant at Arms and Doorkeeper, respectively.

EFFECTIVE DATE OF REPEAL

Section 101 of S. 2939, 97th Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in section 101(e) of Pub. L. 97-276, to be effective as if enacted into law, provided that the repeal is effective Oct. 1, 1982.

REPORTS COVERING FISCAL YEAR ENDING SEPTEMBER 30, 1982

Section 101 of S. 2939, 97th Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in section 101(e) of Pub. L. 97-276, to be effective as if enacted into law, provided in part that the reports required by subsec. (e) of this section with respect to the fiscal year ending Sept. 30, 1982, be filed notwithstanding the repeal. Subsec. (e) of this section had required that within thirty days following the end of each fiscal year, the Secretary of the Senate and the Sergeant at Arms and Doorkeeper file reports with the Senate Committee on Appropriations detailing the use and implementation of the authority contained in this section and that such reports include the names of all employees receiving merit compensation under authority of this section at the end of the fiscal year, the positions occupied by them and the date when each such employee first began to receive merit compensation.

§ 60j-4. Longevity compensation not applicable to individuals paid by Secretary of Senate; savings provision

Section 60j 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

¹ See References in Text note below.