

Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1989—Pub. L. 101-163 substituted “four positions” for “three positions” and “Architect or Assistant Architect” for “Architect, Assistant Architect, or Second Assistant Architect of the Capitol”.

1975—Pub. L. 94-157 increased to two positions from one position the number of positions under the appropriation “Capitol Buildings”.

1968—Pub. L. 90-239 increased the compensation of one position under appropriation “Senate Office Buildings” from “\$7,700” to “\$8,200”.

1967—Pub. L. 90-206 increased the compensation from \$7,700 to \$8,200 per annum each of the three positions under the appropriation “Salaries, Office of the Architect of the Capitol”, of one position under the appropriation “Capitol Buildings”, and of one position under the appropriation “House Office Buildings”.

1965—Pub. L. 89-309 increased the compensation of one position under appropriation “Senate Office Buildings” from \$7,020 to \$7,700.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective as of beginning of first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 166b-3a of this title; title 5 section 5307.

§ 166b-3a. Compensation of certain positions in Office of Architect of Capitol

(a) Amount of compensation to be that specified in appropriations Acts

Notwithstanding any other provision of law, the pay for positions described in subsection (b) of this section shall be the amounts specified for such positions in appropriations Acts.

(b) Positions covered

The positions referred to in subsection (a) of this section are—

(1) the position of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings “OFFICE OF THE ARCHITECT OF THE CAPITOL” and “SALARIES” in the first section of the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a), and

(2) the eight positions provided for in the third and fourth undesignated paragraphs under the center subheadings “OFFICE OF THE ARCHITECT OF THE CAPITOL” and “SALARIES” in the first section of the Legislative Branch Appropriation Act, 1960 (40 U.S.C. 166b-3).

(c) Calculation of amounts

The pay for each position described in subsection (b) of this section shall be the pay payable for such position with respect to the last pay period before this section takes effect, subject to any applicable adjustment during fiscal year 1988 under, or by reference to any applicable adjustment during fiscal year 1988 under, subchapter I of chapter 53 of title 5.

(d) Effective date

This section shall apply in fiscal years beginning after September 30, 1987, with respect to pay periods beginning after December 22, 1987.

(Pub. L. 100-202, § 101(i) [title III, § 308], Dec. 22, 1987, 101 Stat. 1329-290, 1329-309; Pub. L. 101-163, title I, § 106(e), Nov. 21, 1989, 103 Stat. 1057.)

AMENDMENTS

1989—Subsec. (b). Pub. L. 101-163 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The positions referred to in subsection (a) of this section are: (1) the two positions of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings ‘OFFICE OF THE ARCHITECT OF THE CAPITOL’ and ‘SALARIES’ in the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a), and (2) the seven positions provided for in the third and fourth undesignated paragraphs under the center subheadings ‘OFFICE OF THE ARCHITECT OF THE CAPITOL’ and ‘SALARIES’ in the Legislative Branch Appropriation Act, 1960 (40 U.S.C. 166b-3).”

COMPENSATION OF ASSISTANT ARCHITECT OF THE CAPITOL

Pub. L. 107-68, title I, § 129(b), Nov. 12, 2001, 115 Stat. 580, provided that: “Pursuant to the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b-3a(a)), the pay for the position of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings ‘Office of the Architect of the Capitol’ and ‘salaries’ in the first section of the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a) shall be an amount equal to \$1,000 less than the annual rate of pay for the Architect of the Capitol.”

FISCAL YEAR ADJUSTMENTS IN PAY

Section 307 of Pub. L. 101-163 provided that: “The pay for the positions described in section 308(b) of the Legislative Branch Appropriations Act, 1988, as contained in section 101(i) of Public Law 100-202 [40 U.S.C. 166b-3a(b)]—

“(1) shall be subject to any applicable adjustment during fiscal year 1990 under, or by reference to any applicable adjustment during fiscal year 1990 under, subchapter I of chapter 53 of title 5, United States Code; and

“(2) with respect to the position of Assistant Architect of the Capitol, shall be subject to any recommendation of the President that, pursuant to section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.), takes effect during fiscal year 1990.”

Similar provisions were contained in the following prior appropriations act:

Pub. L. 100-458, title III, § 308, Oct. 1, 1988, 102 Stat. 2183.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5306.

§ 166b-3b. Compensation of certain positions under jurisdiction of Architect of Capitol

(a) Twelve positions fixed in relation to Senior Executive Service

The Architect of the Capitol may fix the rate of basic pay for not more than 12 positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5 for the locality involved.

(b) Eight positions fixed in relation to General Schedule

Effective beginning with any pay period beginning on or after August 14, 1991, the rate of basic pay for up to 8 positions under the jurisdiction of the Architect of the Capitol may be fixed at such rate as the Architect considers appropriate for each, not to exceed 135 percent of the mini-

imum rate payable for grade GS–15 of the General Schedule.

(c) Executive Project Directors

The Architect of the Capitol may fix the rate of basic pay for not more than 4 positions for Executive Project Directors whose salary is payable from project funds, at a rate not to exceed 95 percent of the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5 for the locality involved.

(Pub. L. 101–520, title I, §108, Nov. 5, 1990, 104 Stat. 2268; Pub. L. 102–90, title I, §104, Aug. 14, 1991, 105 Stat. 459; Pub. L. 105–55, title III, §311(a), (b), Oct. 7, 1997, 111 Stat. 1201; Pub. L. 107–68, title I, §129(c)(1), Nov. 12, 2001, 115 Stat. 580; Pub. L. 107–117, div. B, §914(a), Jan. 10, 2002, 115 Stat. 2324.)

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b), is set out under section 5332 of Title 5, Government Organization and Employees.

AMENDMENTS

2002—Subsec. (c). Pub. L. 107–117 added subsec. (c).

2001—Subsec. (a). Pub. L. 107–68, §129(c)(1)(A), added subsec. (a) and struck out former subsec. (a) which read as follows: “Effective as of the first day of the first applicable pay period beginning on or after November 5, 1990, the compensation of the Director of Engineering (under the Architect of the Capitol) shall be equal to such rate as the Architect considers appropriate, not to exceed 90 percent of the highest total rate of pay for the Senior Executive Service under chapter 53 of title 5 for the locality involved.”

Subsecs. (b), (c). Pub. L. 107–68, §129(c)(1), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows:

“(1) Effective beginning with any pay period beginning on or after November 5, 1990, the Architect of the Capitol may fix the rate of basic pay—

“(A) for not more than one of the positions under paragraph (2) at a rate not to exceed 90 percent of the highest total rate of pay for the Senior Executive Service under chapter 53 of title 5 for the locality involved; and

“(B) for any other position under paragraph (2), at such rate as the Architect considers appropriate for such position, not to exceed 85 percent of the highest total rate of pay for the Senior Executive Service under chapter 53 of title 5 for the locality involved.

“(2) Authority under paragraph (1) may be exercised with respect to any of the following positions under the jurisdiction of the Architect of the Capitol:

“(A) The Senior Landscape Architect.

“(B) The Administrative Assistant.

“(C) The Executive Officer.

“(D) The Budget Officer.

“(E) The General Counsel.

“(F) The Superintendent of the Senate Office Buildings.

“(G) The Superintendent of the House Office Buildings.

“(H) The Supervising Engineer of the United States Capitol.”

1997—Subsec. (a). Pub. L. 105–55, §311(a), substituted “such rate as the Architect considers appropriate, not to exceed 90 percent of the highest total rate of pay for the Senior Executive Service under chapter 53 of title 5 for the locality involved” for “the rate of basic pay payable for level V of the Executive Schedule”.

Subsec. (b)(1). Pub. L. 105–55, §311(b)(1), struck out at end “For purposes of the preceding sentence, ‘the maximum rate allowable for the Senior Executive Service’ means the highest rate of basic pay that may be set for the Senior Executive Service under section 5382(b) of title 5.”

Subsec. (b)(1)(A), (B). Pub. L. 105–55, §311(b)(2), substituted “the highest total rate of pay for the Senior Executive Service under chapter 53 of title 5 for the locality involved” for “the maximum rate allowable for the Senior Executive Service”.

1991—Subsec. (b)(1). Pub. L. 102–90, §104(a)(3), inserted sentence at end relating to maximum rate allowable for Senior Executive Service.

Subsec. (b)(1)(A). Pub. L. 102–90, §104(a)(1), substituted “90 percent of the maximum rate allowable for the Senior Executive Service;” for “the rate payable for grade GS–18 of the General Schedule;”.

Subsec. (b)(1)(B). Pub. L. 102–90, §104(a)(2), substituted “85 percent of the maximum rate allowable for the Senior Executive Service.” for “the rate payable for step 2 of grade GS–17 of the General Schedule.”

Subsec. (c). Pub. L. 102–90, §104(b), added subsec. (c).

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–117, div. B, §914(b), Jan. 10, 2002, 115 Stat. 2324, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to pay periods beginning on or after October 1, 2001.”

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107–68, title I, §129(c)(2), Nov. 12, 2001, 115 Stat. 580, provided that: “The amendment made by paragraph (1) [amending this section] shall apply with respect to pay periods beginning on or after the expiration of the 21-day period which begins on the date the Architect of the Capitol submits to the Committees on Appropriations of the House of Representatives and Senate a list containing the 12 positions for which the Architect will fix the rate of basic pay under the amendment, the rate of basic pay for each such position, and the job description for each such position.”

EFFECTIVE DATE OF 1997 AMENDMENT

Section 311(c) of Pub. L. 105–55 provided that: “The amendments made by this section [amending this section] shall apply with respect to pay periods beginning on or after January 1, 1998.”

§ 166b–4. Gratuities for survivors of deceased employees under jurisdiction of Architect of Capitol

Until otherwise provided by law, there is authorized to be paid out of the applicable accounts of the House of Representatives, on vouchers signed by the chairman of the Committee on House Oversight, a gratuity to the widow, widower, or heirs-at-law, of each deceased employee under the jurisdiction of the Architect of the Capitol who was assigned to duty in the House of Representatives at the time of his death. The payment of each such gratuity shall be in accordance with uniform rules and regulations adopted by the Committee on House Oversight except that no such gratuity shall be in excess of that payable to the widow, widower, or heirs-at-law of any deceased employee under the jurisdiction of the Architect of the Capitol having a comparable length of service, who was assigned to similar duties in the Senate at the time of his death.

(Pub. L. 88–454, §103, Aug. 20, 1964, 78 Stat. 550; Pub. L. 104–186, title II, §221(1), Aug. 20, 1996, 110 Stat. 1748.)

CODIFICATION

Section is based on House Resolution No. 291, June 18, 1963, which was enacted into permanent law by Pub. L. 88–454.