

ment by the Senate Committee on Appropriations or in the judgment of the Director of the Office of Personnel Management, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

(June 13, 1945, ch. 189, §1, 59 Stat. 243; July 1, 1946, ch. 530, 60 Stat. 392; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783.)

#### AMENDMENTS

1946—Act July 1, 1946, reenacted section without change.

#### TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted in text for “Civil Service Commission” pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in United States Civil Service Commission and Chairman thereof to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

### § 68. Payments from Senate contingent fund

No payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee on Rules and Administration of the Senate. Payments made upon vouchers or abstracts of disbursements of salaries approved by said Committee shall be deemed, held, and taken, and are declared to be conclusive upon all the departments and officers of the Government: *Provided*, That no payment shall be made from said contingent fund as additional salary or compensation to any officer or employee of the Senate.

(Oct. 2, 1888, ch. 1069, 25 Stat. 546; Aug. 2, 1946, ch. 753, §102, 60 Stat. 814; Pub. L. 93-554, title I, Dec. 27, 1974, 88 Stat. 1776; Pub. L. 104-186, title I, §105(c), Aug. 20, 1996, 110 Stat. 1722.)

#### CODIFICATION

Section is based on provisions of last par. on 25 Stat. 546, act of Oct. 2, 1888, ch. 1069, relating to payments from contingent fund of Senate. Provisions of that par. relating to payments from contingent fund of House of Representatives were classified to section 95 of this title prior to being struck out by Pub. L. 104-186.

#### AMENDMENTS

1974—Pub. L. 93-554 inserted provision relating to applicability to payments made upon abstracts of disbursements of salaries.

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee to Audit and Control Contingent Expenses”.

#### EFFECTIVE DATE OF 1974 AMENDMENT

Title I of Pub. L. 93-554 provided that the amendment made by Pub. L. 93-554 is effective Jan. 1, 1975.

#### EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that the amendment made by that act is effective Jan. 2, 1947.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 288m, 601 of this title.

### § 68-1. Committee on Rules and Administration; designation of employees to approve vouchers for payments from Senate contingent fund

The Committee on Rules and Administration may authorize its chairman to designate any employee or employees of such Committee to approve in his behalf, all vouchers making payments from the contingent fund of the Senate, such approval to be deemed and held to be approval by the Committee on Rules and Administration for all intents and purposes.

(Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 529; Pub. L. 97-51, §126, Oct. 1, 1981, 95 Stat. 965; Pub. L. 98-473, title I, §123A(c), Oct. 12, 1984, 98 Stat. 1970.)

#### AMENDMENTS

1984—Pub. L. 98-473 substituted “any employee or employees of such Committee” for “the committee Auditor and the committee Assistant Auditor”.

1981—Pub. L. 97-51 substituted “the committee Auditor and the committee Assistant Auditor” for “one committee employee”.

### § 68-2. Appropriations for contingent expenses of Senate; restrictions

Appropriations made for contingent expenses of the Senate shall not be used for the payment of personal services except upon the express and specific authorization of the Senate in whose behalf such services are rendered. Nor shall such appropriations be used for any expenses not intimately and directly connected with the routine legislative business of the Senate, and the General Accounting Office shall apply the provisions of this section in the settlement of the accounts of expenditures from said appropriations incurred for services or materials.

(Feb. 14, 1902, ch. 17, 32 Stat. 26; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; Pub. L. 104-186, title II, §204(45), Aug. 20, 1996, 110 Stat. 1737.)

#### CODIFICATION

Section is based on provisions of proviso on 32 Stat. 26, act of Feb. 14, 1902, ch. 17, the Urgent Deficiency Appropriation Act for the fiscal year 1902, as those provisions relate to appropriations for contingent expenses of Senate. Provisions of that proviso relating to appropriations for expenses of House of Representatives are classified to section 95a of this title.

Section was formerly classified to section 671 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, §1, Sept. 13, 1982, 96 Stat. 877.

#### AMENDMENTS

1996—Pub. L. 104-186 amended provisions relating to appropriations for expenses of House. See Codification note above.

#### TRANSFER OF FUNCTIONS

“General Accounting Office” substituted in text for “accounting officers of the Treasury” pursuant to act

June 10, 1921, which transferred powers and duties of Comptroller, six auditors, and certain other employees of the Treasury to General Accounting Office. See section 701 et seq. of Title 31, Money and Finance.

**§ 68-3. Separate accounts for “Secretary of the Senate” and for “Sergeant at Arms and Doorkeeper of the Senate”; establishment within Senate contingent fund; inclusion of funds in existing accounts**

(a) Effective October 1, 1983—

(1) there shall be, within the contingent fund of the Senate, a separate account for the “Secretary of the Senate”, and a separate account for the “Sergeant at Arms and Doorkeeper of the Senate”;

(2) the account for “Automobiles and Maintenance”, within the contingent fund of the Senate, is abolished, and funds for the purchase, lease, exchange, maintenance, and operation of vehicles for the Senate shall be included in the separate account, established by paragraph (1), for the “Sergeant at Arms and Doorkeeper of the Senate”; and

(3) the account for “Postage Stamps”, within the contingent fund of the Senate, is abolished; and funds for special delivery postage of the Office of the Secretary of the Senate shall be included in the separate account, established by paragraph (1), for the “Secretary of the Senate”; funds for special delivery postage of the Sergeant at Arms and Doorkeeper of the Senate shall be included in the separate account, established by paragraph (1), for the “Sergeant at Arms and Doorkeeper of the Senate”; and postage stamps for the Secretaries for the Majority and the Minority and other offices and officers of the Senate, as authorized by law, shall be included in the account for “Miscellaneous Items”, within the contingent fund of the Senate.

(b) Any provision of law which was enacted, or any Senate resolution which was agreed to, prior to October 1, 1983, and which authorizes moneys in the contingent fund of the Senate to be expended by or for the use of the Secretary of the Senate, or his office (whether generally or from a specified account within such fund) may on and after October 1, 1983, be construed to authorize such moneys to be expended from the separate account, within such fund, established by subsection (a)(1) of this section for the “Secretary of the Senate”; and any provision of law which was enacted prior to October 1, 1983, and which authorizes moneys in the contingent fund of the Senate to be expended by or for the use of the Sergeant at Arms and Doorkeeper of the Senate, or his office (whether generally or from a specified account within such fund) may on and after October 1, 1983, be construed to authorize such moneys to be expended from the separate account, within such fund, established by subsection (a)(1) of this section for the “Sergeant at Arms and Doorkeeper of the Senate”.

(Pub. L. 98-51, title I, §103, July 14, 1983, 97 Stat. 266.)

CODIFICATION

Section is from the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation, 1984.

**§ 68-4. Deposit of moneys for credit to account within Senate contingent fund for “Sergeant at Arms and Doorkeeper of the Senate”**

Any provision of law which is enacted prior to October 1, 1983, and which directs the Sergeant at Arms and Doorkeeper of the Senate to deposit any moneys in the United States Treasury for credit to the account, within the contingent fund of the Senate, for “Miscellaneous Items”, or for “Automobiles and Maintenance” shall, on and after October 1, 1983, be deemed to direct him to deposit such moneys in the United States Treasury for credit to the account, within the contingent fund of the Senate, for the “Sergeant at Arms and Doorkeeper of the Senate”.

(Pub. L. 98-181, title I, §1202, Nov. 30, 1983, 97 Stat. 1289.)

CODIFICATION

Section is from the Supplemental Appropriations Act, 1984.

**§ 68-5. Purchase, lease, exchange, maintenance, and operation of vehicles out of account for Sergeant at Arms and Doorkeeper of Senate within Senate contingent fund; authorization of appropriations**

For each fiscal year (commencing with the fiscal year ending September 30, 1985) there is authorized to be appropriated to the account, within the contingent fund of the Senate, for the Sergeant at Arms and Doorkeeper of the Senate, such funds (which shall be in addition to funds authorized to be so appropriated for other purposes) as may be necessary for the purchase, lease, exchange, maintenance, and operation of vehicles as follows: one for the Vice President, one for the President pro tempore of the Senate, one for the Majority Leader of the Senate, one for the Minority Leader of the Senate, one for the Majority Whip of the Senate, one for the Minority Whip of the Senate, one for the attending physician, one as authorized by Senate Resolution 90 of the 100th Congress<sup>1</sup> such number as is needed for carrying mails, and for official use of the offices of the Secretary of the Senate, the Sergeant at Arms and Doorkeeper of the Senate, the Secretary for the Majority, and the Secretary for the Minority, and such additional number as is otherwise specifically authorized by law.

(Pub. L. 99-88, title I, §192, Aug. 15, 1985, 99 Stat. 349; Pub. L. 100-202, §101(i) [title I, §3(a)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-294.)

REFERENCES IN TEXT

Senate Resolution 90 of the 100th Congress, referred to in text, which was agreed to Jan. 28, 1987, provided in part for the Sergeant at Arms and Doorkeeper of the Senate to provide, by lease or purchase, and maintain an automobile for the former President pro tempore of the Senate.

CODIFICATION

Section is from the Supplemental Appropriations Act, 1985.

AMENDMENTS

1987—Pub. L. 100-202 substituted “one for the attending physician, one as authorized by Senate Resolution

<sup>1</sup> So in original. Probably should be followed by a comma.