

elected to fill a vacancy), the Secretary of the Senate shall appoint two employees to assist such Senator-elect. Any employee so appointed shall serve through the day before the date on which the Senator-elect recommending his appointment commences his service as a Senator, except that his employment may be terminated before such day upon recommendation of such Senator-elect.

(b) Payment of salaries of appointed employees; funding; maximum amount

(1) Salaries of employees appointed under subsection (a) of this section shall be paid from the appropriation for “Administrative, Clerical, and Legislative Assistance to Senators”.

(2) Salaries paid to employees appointed upon recommendation of a Senator-elect under subsection (a) of this section shall be charged against the amount of compensation which may be paid to employees in his office under section 61-1(d) of this title (hereinafter referred to as the “clerk-hire allowance”), for the fiscal year in which his service as a Senator commences. The total amount of salaries paid to employees so appointed upon recommendation of a Senator-elect shall be charged against his clerk-hire allowance for each month in such fiscal year beginning with the month in which his service as a Senator commences (until the total amount has been charged) by whichever of the following amounts is greater: (1) one-ninth of the amount of salaries so paid, or (2) the amount by which the aggregate amount of his clerk-hire allowance which may be paid as of the close of such month under section 61-1(d)(1)(B) of this title exceeds the aggregate amount of his clerk-hire allowance actually paid as of the close of such month.

(c) Payment of transportation and per diem expenses of Senator-elect and appointed employees for one round trip from home State to Washington, D.C. for business of impending Congress; funding; maximum amount

Each Senator-elect and each employee appointed under subsection (a) of this section is authorized one round trip from the home State of the Senator-elect to Washington, D.C., and return, for the purposes of attending conferences, caucuses, or organizational meetings, or for any other official business connected with the impending Congress. In addition, each Senator-elect and each such employee is authorized per diem for not more than seven days while en route to and from Washington, D.C., and while in Washington, D.C. Such transportation and per diem expenses shall be in the same amounts as are payable to Senators and employees in the office of a Senator under section 58(e) of this title, and shall be paid from the contingent fund of the Senate upon itemized vouchers certified by the Senator-elect concerned and approved by the Secretary of the Senate.

(d) Payment of telegrams, telephone services, and stationery expenses

(1) Each Senator-elect is authorized to be reimbursed for expenses incurred for telegrams, telephone services, and stationery related to his position as a Senator-elect in an amount not exceeding one-twelfth of the total amount of ex-

penses authorized to be paid to or on behalf of a Senator from the State which he will represent under section 58 of this title. Reimbursement to a Senator-elect under this subsection shall be paid from the contingent fund of the Senate upon itemized vouchers certified by such Senator-elect and approved by the Secretary of the Senate.

(2) Amounts reimbursed to a Senator-elect under this subsection shall be charged against the amount of expenses which are authorized to be paid to him or on his behalf under section 58 of this title, for each of the twelve months beginning with the month in which his service as a Senator commences (until all of such amounts have been charged) by whichever of the following amounts is greater: (1) one-twelfth of the amounts so reimbursed, or (2) the amount by which the aggregate amount authorized to be so paid under section 58(c) of this title as of the close of such month exceeds the aggregate amount actually paid under such section 58 as of the close of such month.

(e) Effective Date

This section shall take effect on October 1, 1978.

(Pub. L. 95-355, title I, §105, Sept. 8, 1978, 92 Stat. 534; Pub. L. 104-197, title I, §2, Sept. 16, 1996, 110 Stat. 2397.)

AMENDMENTS

1996—Subsec. (d)(1). Pub. L. 104-197 substituted “, telephone services, and stationery” for “and telephone services”.

SENATORS’ OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

References in any law, rule, regulation, or order to Senate appropriation account for Administrative, Clerical, and Legislative Assistance Allowance to Senators deemed references to the “Senators’ Official Personnel and Office Expense Account”, see section 58c(2) of this title.

§§ 44 to 46. Omitted

CODIFICATION

Section 44, act May 7, 1906, ch. 2083, §1, 34 Stat. 170, authorized a mileage allowance to Delegate from Alaska, and was omitted from the Code as obsolete because Alaska was admitted into the Union with membership of one Representative in Congress on Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1, 7 and 8 of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Section 45, acts July 1, 1902, ch. 1369, §8, 32 Stat. 694; Aug. 29, 1916, ch. 416, §20, 39 Stat. 552, which authorized a mileage allowance to Resident Commissioners from Philippine Islands, and was formerly covered by section 1237 of Title 48, Territories and Insular Possessions, is no longer in force in view of the independence of the Philippine Islands effected by section 1394 of Title 22, Foreign Relations and Intercourse, and proclaimed by the President of the United States in Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, set out as note under section 1394 of Title 22. Act Aug. 29, 1916, ch. 416, §20, 39 Stat. 552, from which section 45 of this title was derived, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 643.

Section 46, acts Mar. 2, 1917, ch. 145, §36, 39 Stat. 963; May 17, 1932, ch. 190, 47 Stat. 158, allowed sum of \$500 as mileage for each session to Resident Commissioner,

and was omitted from the Code as superseded by former section 43b-1 of this title.

§ 46a. Stationery allowance for President of Senate

Effective April 1, 1975, and each fiscal year thereafter, the annual allowance for stationery for the President of the Senate shall be \$8,000.

(July 1, 1941, ch. 268, 55 Stat. 450; June 13, 1945, ch. 189, 59 Stat. 244; June 14, 1948, ch. 467, 62 Stat. 425; Oct. 11, 1951, ch. 485, 65 Stat. 391; Aug. 1, 1953, ch. 304, title I, 67 Stat. 320; Aug. 5, 1955, ch. 568, 69 Stat. 504; Pub. L. 88-258, title IV, Jan. 6, 1964, 77 Stat. 864; Pub. L. 90-21, title I, May 29, 1967, 81 Stat. 38; Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 342; Pub. L. 92-51, July 9, 1971, 85 Stat. 128; Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 635; Pub. L. 92-607, ch. V, §506(k)(3), formerly §506(h)(3), Oct. 31, 1972, 86 Stat. 1508, renumbered §506(i)(3), Pub. L. 95-391, title I, §108(a), Sept. 30, 1978, 92 Stat. 773, renumbered §506(j)(3), Pub. L. 96-304, title I, §101(e), July 8, 1980, 94 Stat. 889, renumbered §506(k)(3), Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189; Pub. L. 94-32, title I, June 12, 1975, 89 Stat. 182; Pub. L. 108-7, div. H, title I, §2(a), Feb. 20, 2003, 117 Stat. 349.)

CODIFICATION

Section is from Legislative Branch Appropriation Act, 1942, and subsequent Legislative Branch Appropriation Acts.

AMENDMENTS

- 2003—Pub. L. 108-7 substituted “\$8,000” for “\$4,500”.
- 1975—Pub. L. 94-32 substituted “Effective April 1, 1975, and each fiscal year thereafter” for “Effective with the fiscal year 1972 and thereafter” and “\$4,500” for “\$3,600”.
- 1972—Pub. L. 92-607 repealed this section insofar as it related to Senators. For purposes of codification this entailed substituting a period for a comma following “President of the Senate shall be \$3,600” and striking out provisions which allowed Senators from \$3,600 to \$5,000 annually depending on the population of the Senator’s home State. See section 58 of this title.
- 1971—Pub. L. 92-184 inserted provision for an increased allowance for Senators from more populous States ranging from \$3,800 for Senators from States of from 3,000,000 to 4,999,999 population to \$5,000 for Senators from States of 17,000,000 population and over.
- Pub. L. 92-51 provided allowance for Senators from States having population of ten million or more inhabitants of \$4,000 per annum effective fiscal year 1972 and thereafter.
- 1969—Pub. L. 91-145 increased allowance from \$3,000 to \$3,600 effective with fiscal year 1970.
- 1967—Pub. L. 90-21 increased allowance from \$2,400 to \$3,000 effective with fiscal year 1967.
- 1964—Pub. L. 88-258 increased allowance from \$1,800 to \$2,400 effective with fiscal year 1964.
- 1955—Act Aug. 5, 1955, increased allowance from \$1,200 to \$1,800.
- 1953—Act Aug. 1, 1953, increased allowance from \$800 to \$1,200 effective with fiscal year 1954.
- 1951—Act Oct. 11, 1951, increased allowance from \$500 to \$800.
- 1948—Act June 14, 1948, increased allowance from \$400 to \$500.
- 1945—Act June 13, 1945, increased allowance from \$200 to \$400.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-7, div. H, title I, §2(b), Feb. 20, 2003, 117 Stat. 349, provided that: “The amendment made by this section [amending this section] shall apply to fiscal year 2003 and each fiscal year thereafter.”

EFFECTIVE DATE OF 1972 AMENDMENT

Section 506(k), formerly §506(h), of Pub. L. 92-607, renumbered §506(i) by Pub. L. 95-391, title I, §108(a), Sept. 30, 1978, 92 Stat. 773, renumbered §506(j) by Pub. L. 96-304, title I, §101, July 8, 1980, 94 Stat. 889, and renumbered §506(k) by Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189, provided that the amendment made by that section is effective Jan. 1, 1973.

ADDITIONAL ALLOWANCES

The following acts authorized additional stationery allowances for each Senator and the President of the Senate:

- July 15, 1952, ch. 758, Ch. II, 66 Stat. 639.
 Sept. 27, 1950, ch. 1052, Ch. II, 64 Stat. 1047.
 Oct. 10, 1949, ch. 662, title I, 63 Stat. 738.
 May 10, 1948, ch. 270, 62 Stat. 213.
 May 1, 1947, ch. 49, title I, 61 Stat. 58.
 July 23, 1946, ch. 591, title I, 60 Stat. 602.
 Dec. 28, 1945, ch. 589, title I, 59 Stat. 633.

§ 46a-1. Senate revolving fund for stationery allowances; availability of unexpended balances; withdrawals

There is established within the Contingent Fund of the Senate a revolving fund which shall consist of (1) the unexpended balance of the appropriation “Contingent Expenses, Senate, Stationery, fiscal year 1957”, (2) any amounts hereafter appropriated for stationery allowances of the President of the Senate, and for stationery for use of officers of the Senate and the Conference of the Majority and the Conference of the Minority of the Senate, and (3) any un-deposited amounts heretofore received, and any amounts hereafter received as proceeds of sales by the stationery room of the Senate. Any moneys in the fund shall be available until expended for use in the same manner and for the same purposes as funds heretofore appropriated to the Contingent Fund of the Senate for stationery, except that (1) the balance of any amount appropriated for stationery for use of committees and officers of the Senate which remains unexpended at the end of any fiscal year and (2) allowances which are not available for obligation due to vacancies or waiver of entitlement thereto, shall be withdrawn from the revolving fund. Disbursements from the fund shall be made upon vouchers approved by the Secretary of the Senate, or his designee.

(Pub. L. 85-58, ch. XI, June 21, 1957, 71 Stat. 188; Pub. L. 92-607, ch. V, §506(l), formerly §506(i), Oct. 31, 1972, 86 Stat. 1508, renumbered §506(j), Pub. L. 95-391, title I, §108(a), Sept. 30, 1978, 92 Stat. 773, renumbered §506(k) and amended Pub. L. 96-304, title I, §§101, 112(b)(3), July 8, 1980, 94 Stat. 889, 892, renumbered §506(l), Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189; Pub. L. 105-55, title I, §7, Oct. 7, 1997, 111 Stat. 1181.)

AMENDMENTS

- 1997—Pub. L. 105-55, which directed the amendment of section 1101 of Pub. L. 85-58 by inserting at end “Disbursements from the fund shall be made upon vouchers approved by the Secretary of the Senate, or his designee.”, was executed by making the insertion at the end of this section which is second par. under heading “CONTINGENT EXPENSES OF THE SENATE” to reflect the probable intent of Congress.
- 1980—Pub. L. 96-304, §112(b)(3), substituted in cl. (2), “officers of the Senate and the Conference of the Majority and the Conference of the Minority of the Senate” for “committees and officers of the Senate”.