

PAY OF COMMITTEE STAFF DISPLACED BY CHANGE OF CHAIRMAN OR RANKING MINORITY MEMBER ¹ 96

SEC. 6. (a) For purposes of this section:

(1) The term “committee” means a standing, select or special committee, or commission of the Senate, or a joint committee of the Congress whose funds are disbursed by the Secretary of the Senate.

(2) The terms “Chairman” and “Ranking Minority Member” mean the Chairman, Vice Chairman, Co-chairman and Ranking Minority Member of a committee.

(3) The term “eligible staff member” means an individual—

(A) who was an employee—

(i) of a committee or subcommittee thereof or a Senate leadership office described in subsection (b) of the first section of this resolution, or

(ii) in an office of a Senator on the expiration of the term of office of such Senator as a Senator, but only if the Senator is not serving as a Senator for the next term of office and was a candidate in the general election for such next term,

(B) whose employment described in subparagraph (A) was at least 183 days (whether or not service was continuous) before the date of termination of employment described in paragraph (4), and

(C) whose pay is disbursed by the Secretary of the Senate.

The term “eligible staff member” shall not include an employee to whom the first section of this resolution applies.

(4) The term “displaced staff member” means an eligible staff member—

(A) whose service as an employee of the Senate is terminated solely and directly as a result of—

(i) in the case of employment described in paragraph (3)(A)(i), a change in the individual occupying the position of Chairman or Ranking Minority Member of a committee or in the individual occupying the Senate leadership office, and

¹S. Res. 9 established these provisions by amendment to S. Res. 458 (§95 above).

(ii) in the case of employment described in paragraph (3)(A)(ii), the expiration of the term of office of the Senator, and

(B) who is certified, not later than 60 days after the date of the change or expiration of term of office, whichever is applicable, as a displaced staff member by the Chairman or Ranking Minority Member of the committee, the Senator occupying the Senate leadership office, or the Senator whose term is expiring, whichever is applicable, to the Secretary of the Senate.

(b) The Secretary of the Senate shall notify the Committee on Rules and Administration of the name of each displaced staff member.

(c)(1) Under regulations prescribed by the Committee on Rules and Administration each displaced staff member shall, upon application to the Secretary of the Senate and approval by the Committee on Rules and Administration, continue to be paid at their respective salaries for a period not to exceed 60 days following the staff member's date of termination or until the staff member becomes otherwise gainfully employed, whichever is earlier.

(2) A statement in writing by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed.

(d) Funds necessary to carry out the provisions of this section shall be available as set forth in section 1(d).

[S. Res. 9, 103-1, Jan. 7, 1993; S. Res. 478, 108-2, Nov. 19, 2004.]

**97 PAY OF CLERICAL AND OTHER ASSISTANTS AS AFFECTED BY
TERMINATION OF SERVICE OF APPOINTED SENATORS**

Resolved, That in any case in which (1) a Senator is appointed to fill any portion of an unexpired term, (2) an election is thereafter held to fill the remainder of such unexpired term, and (3) the Senator so appointed is not a candidate or if a candidate is not elected at such election, his clerical and other assistants on the payroll of the Senate on the date of termination of his service shall be continued on such roll at their respective salaries until the expiration of thirty days following such date or until they become otherwise gainfully employed, whichever is earlier, such sums to be paid from the contingent fund of the Senate. A statement in writing by any such employee that he