

(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.]

74 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 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. The provisions of this resolution shall not apply to an employee of any such Senator if on or before the date of termination of his service he notifies the Disbursing Office of the Senate in writing that he does not wish the provisions of this resolution to apply to such employee.

[S. Jour. 421, 86-2, June 28, 1960.]

75 LEAVE WITHOUT PAY STATUS FOR CERTAIN SENATE EMPLOYEES PERFORMING SERVICE IN THE UNIFORMED SERVICES

SEC. 1. Leave without pay status for certain senate employees performing service in the uniformed services.

(a) Definitions.—In this section—

(1) the terms “employee” and “Federal executive agency” have the meanings given those terms under section 4303 (3) and (5) of title 38, United States Code, respectively; and

(2) the term “employee of the Senate” means any employee whose pay is disbursed by the Secretary of the Senate, except that the term does not include