

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as an Effective Date note under section 5341 of Title 5, Government Organization and Employees.

DIRECTIVE OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [5 U.S.C. 5304 NOTE]

Salary Directives of the Speaker of the House of Representatives were issued on the following dates:

June 17, 1969, increases eff. July 1, 1969, Cong. Rec., vol. 115, pt. 12, p. 16196.

June 11, 1968, increases eff. July 1, 1968, Cong. Rec., vol. 114, pt. 13, p. 16717.

INCREASES IN COMPENSATION

The following acts provided increases in compensation for elected officers and certain employees of the House of Representatives:

June 20, 1958, Pub. L. 85-462, § 4(k), (l), 72 Stat. 209.

June 28, 1955, ch. 189, § 4(c), 69 Stat. 176.

Oct. 24, 1951, ch. 554, § 2(e), 65 Stat. 614.

Oct. 28, 1949, ch. 783, title I, § 101(d), 63 Stat. 974.

§ 60a-2a. Rates of compensation disbursed by Chief Administrative Officer of House; adjustments by Speaker; "Member of the House of Representatives" defined

(1) Notwithstanding any other provision of this Act, or any other provision of law, rule, or regulation, on and after December 22, 1987, each time the President pro tempore of the Senate exercises any authority pursuant to any of the amendments made by this section with respect to rates of pay or any other matter relating to personnel whose pay is disbursed by the Secretary of the Senate, or whenever any of the events described in paragraph (2) occurs, the Speaker of the House of Representatives may adjust the rates of pay (and any minimum or maximum rate, limitation, or allowance) applicable to personnel whose pay is disbursed by the Chief Administrative Officer of the House of Representatives to the extent necessary to ensure—

(A) appropriate pay levels and relationships between and among positions held by personnel of the House of Representatives; and

(B) appropriate pay relationships between—

(i) positions referred to in subparagraph (A); and

(ii)(I) positions under subparagraphs (A) through (D) of section 356 of this title;

(II) positions held by personnel whose pay is disbursed by the Secretary of the Senate; and

(III) positions to which the General Schedule applies.

(2) The other events permitting an exercise of authority under this section are either—

(A) an adjustment under section 5303 of title 5 in rates of pay under the General Schedule; or

(B) an adjustment in rates of pay for Members of the House of Representatives (other than an adjustment which occurs by virtue of an adjustment described in subparagraph (A)).

(3) For the purpose of this section, the term "Member of the House of Representatives" means a Member of the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

(Pub. L. 100-202, § 101(i) [title III, § 311(d)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-310; Pub. L. 101-520, title III, § 308, Nov. 5, 1990, 104 Stat. 2277; Pub. L. 102-90, title III, § 308, Aug. 14, 1991, 105 Stat. 466; Pub. L. 104-186, title II, § 204(2), Aug. 20, 1996, 110 Stat. 1729.)

REFERENCES IN TEXT

This Act, referred to in par. (1), probably means the Legislative Branch Appropriations Act, 1988, Pub. L. 100-202, § 101(i), Dec. 22, 1987, 101 Stat. 1329-290. For complete classification of this Act to the Code, see Tables.

The amendments made by this section, referred to in par. (1), means the amendments made by section 101(i) [title III, § 311] of Pub. L. 100-202, Dec. 22, 1987, 101 Stat. 1329-290, 1329-310, which enacted this section, amended section 60a-1 of this title, and enacted provisions set out as a note under section 60a-1 of this title.

The General Schedule, referred to in pars. (1)(B)(i)(II) and (2)(A), is set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1988, which is title I of the Legislative Branch Appropriations Act, 1988.

AMENDMENTS

1996—Par. (1). Pub. L. 104-186 substituted "Chief Administrative Officer of the House of Representatives" for "Clerk of the House of Representatives".

1991—Par. (2)(A). Pub. L. 102-90 substituted "5303" for "5305".

1990—Pub. L. 101-520 designated existing provisions as par. (1), inserted "or whenever any of the events described in par. (2) occurs," after "Secretary of the Senate," substituted "may adjust the rates of pay (and any minimum or maximum rate, limitation, or allowance) applicable to personnel whose pay is disbursed by the Clerk of the House of Representatives to the extent necessary to ensure—" and subpars. (A) and (B) for "may, with respect to personnel whose pay is disbursed by the Clerk of the House of Representatives, exercise the same authority to the extent necessary to ensure parity of treatment between personnel of the respective Houses of Congress having comparable duties and responsibilities.," and added pars. (2) and (3).

ORDER OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

JANUARY 24, 1997

Pursuant to the authority vested in the Speaker by section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), it is hereby—

Ordered,

PAY FOR SPECIFIED POSITIONS

SECTION 1. The annual rate of pay for the Chief Administrative Officer, the Clerk, the Sergeant-at-Arms, the Chaplain, the Parliamentarian, the Legislative Counsel, the Law Revision Counsel, the General Counsel to the House, and the Inspector General is \$132,100.

PAY FOR CERTAIN OTHER POSITIONS

SEC. 2. (a) Subject to subsection (b), annual rates of pay may be established—

(1) by the Speaker, for employees under the jurisdiction of the Speaker;

(2) by the majority and minority leaders, for employees under their respective jurisdictions, includ-

ing with respect to the majority leader, the Republican employee referred to in House Resolution 625, 89th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967 (80 Stat. 369);

(3) by the majority and minority whips, for employees under their respective jurisdictions;

(4) by the chief deputy majority and minority whips, for employees under their respective jurisdictions;

(5) by the Chairman of the Republican Steering Committee and the Chairman of the Republican Conference, for employees under their respective jurisdictions, other than the Republican employee referred to in paragraph (2);

(6) by the Chairman of the Democratic Steering and Policy Committee and the Chairman of the Democratic Caucus, for employees under their respective jurisdictions;

(7) by the Parliamentarian, for any employee under the jurisdiction of the Parliamentarian (subject to the approval of the Speaker);

(8) by the Legislative Counsel, for any employee under the jurisdiction of the Legislative Counsel (subject to the approval of the Speaker); and

(9) by the Law Revision Counsel, for any employee under the jurisdiction of the Law Revision Counsel (subject to the approval of the Speaker).

(b)(1) The annual rate of pay under subsection (a) may not exceed \$132,100 for—

(A) any employee whose maximum annual rate of pay was established by section 3(a) of the Order of the Speaker dated January 20, 1988, for the period to which that Order applied;

(B) any employee whose annual rate of pay, but for section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), would be subject, by law, rule, or regulation, to a maximum equal to the rate payable for level III or IV of the Executive Schedule;

(C) any employee in a position referred to in House Resolution 625, 89th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967 (80 Stat. 369), section 1 of House Resolution 119, 95th Congress, as enacted into permanent law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 74c), 82 Stat. 413, or 77 Stat. 817;

(D) any of 3 employees of the Speaker's Office for Legislative Floor Activities under section 223(b) of House Resolution 6, 104th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 74a-7); or

(E) any of the 3 employees under the second sentence of House Resolution 7, 104th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 74c note).

(2) The annual rate of pay under subsection (a) may not exceed \$129,059 for—

(A) any employee whose maximum annual rate of pay was established by section 3(b) of the Order of the Speaker dated January 20, 1988, for the period to which that Order applied; or

(B) any employee whose annual rate of pay, but for section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), would be subject, by law, rule, or regulation, to a maximum equal to the rate payable for level V of the Executive Schedule.

PAY FOR EMPLOYEES OF COMMITTEES AND MEMBERS

SEC. 3. (a) Subject to subsection (b), annual rates of pay may be established—

(1) by the chairman of a standing, special, or select committee of the House or of a joint committee of Congress, if applicable, for employees of the committee; and

(2) by each Member of the House, for employees in the office of the Member.

(b)(1) Except as provided in paragraphs (2) and (3), the annual rate of pay under subsection (a) may not exceed \$129,059.

(2) Under subsection (a)(1), each chairman may establish a maximum rate of \$132,100 for 3 employees, with one such employee to be designated by the ranking minority party member of the committee.

(3) Under subsection (a)(1), each chairman may establish a maximum rate of \$130,914 for 9 employees, 10 employees in the case of the Committee on International Relations and 24 employees in the case of the Committee on Appropriations, with 3 such employees to be designated by the ranking minority party member, other than in the case of the Committee on Appropriations, in which case 7 such employees shall be designated by the ranking minority party member.

MISCELLANEOUS PAY PROVISIONS

SEC. 4. (a) Subject to the approval of the Speaker, the Chief Administrative Officer may establish annual rates of pay—

(1) for 2 employees under the jurisdiction of the Chief Administrative Officer, including the Associate Administrator, Office of Finance, at a maximum rate of \$129,059; and

(2) for 3 additional employees under the jurisdiction of the Chief Administrative Officer, designated as Associate Administrators, at a maximum rate of \$130,914.

(b) Subject to the approval of the Speaker, the Clerk may establish—

(1) the annual rate of pay for the Deputy Clerk at a maximum rate of \$130,914; and

(2) annual rates of pay for 3 employees under the jurisdiction of the Clerk at a maximum rate of \$129,059.

(c) Subject to the approval of the Speaker, the Sergeant-at-Arms may establish—

(1) the annual rate of pay for the Deputy Sergeant-at-Arms at a maximum rate of \$130,914;

(2) annual rates of pay for 2 employees under the jurisdiction of the Sergeant-at-Arms, including the General Counsel to the Capitol Police Board, at a maximum rate of \$129,059; and

(3) annual rates of pay for 3 additional employees under the jurisdiction of the Sergeant-at-Arms at a maximum rate equal to 75 percent of the maximum under paragraph (2).

(d) Subject to the approval of the Speaker, the General Counsel to the House may establish the annual rate of pay for the Deputy General Counsel and Solicitor to the House at a maximum rate of \$131,534.

(e) Notwithstanding section 2(b)(2), the annual rate of pay established under section 2(a)(9) for the Deputy Law Revision Counsel may not exceed \$131,534.

GENERAL LIMITATION

SEC. 5. The maximum annual rate of pay is \$129,059 for any employee whose pay is disbursed by the Chief Administrative Officer and is not otherwise provided for in this Order or otherwise limited by law, rule or regulation.

SHARED EMPLOYEES

SEC. 6. An employee who, under applicable rules and regulations, is paid from funds from 2 or more House sources, may receive pay totaling the highest limitation applicable to any of the positions the employee occupies. This section does not provide additional funds to any office and does not increase the number of employees who may be paid at levels higher than the limitation under section 5.

DEFINITION

SEC. 7. As used in this Order, the term "employee" includes an Officer of the House (other than a Member of the House of Representatives).

EFFECTIVE DATE

SEC. 8. The provisions of this Order shall take effect on February 1, 1997.

NEWT GINGRICH
Speaker

Prior Orders of the Speaker of the House of Representatives were issued on the following dates:

Jan. 17, 1995, eff. Jan. 4, 1995.
 May 11, 1993, eff. May 1, 1993, as amended.
 Feb. 27, 1992, eff. Jan. 1, 1992.
 Jan. 28, 1991, eff. Jan. 1, 1991.
 Feb. 8, 1990, eff. Feb. 1, 1990.
 Jan. 20, 1988, eff. Jan. 1, 1988.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 74d of this title.

§§ 60b, 60c. Omitted

CODIFICATION

Section 60b, acts June 20, 1929, ch. 33, §2, 46 Stat. 38; July 25, 1939, ch. 352, §3, 53 Stat. 1080, which provided that clerk hire should be at rate of \$6,500 per annum and limited individual salaries to \$3,900 per annum, was superseded by former section 60g of this title.

Section 60c, R.S. §55, related to payment of salaries of chaplains.

§ 60c-1. Vice President, Senators, officers, and employees paid by Secretary of Senate; payment of salary; advance payment

The compensation of the Vice President, Senators, and officers and employees, whose compensation is disbursed by the Secretary of the Senate, shall be payable on the fifth day of the month following the month in which such compensation accrued, except that—

(1) Repealed. Pub. L. 97-51, §111(a)(1), Oct. 1, 1981, 95 Stat. 962;

(2) when such fifth or twentieth day falls on Saturday, Sunday, or on a legal holiday (including any holiday on which the banks of the District of Columbia are closed pursuant to law) such compensation shall be payable on the next preceding workday; and

(3) any part of such compensation accrued for any month may, in the discretion of the Secretary of the Senate, be paid prior to the day specified in the preceding provisions of this section.

For purposes of title 26 and for accounting and reporting purposes, disbursements made in accordance with this section on the fifth day of a month, or on the next preceding workday if such fifth day falls on Saturday, Sunday, or a legal holiday, shall be considered to have been made on the last day of the preceding month.

(Pub. L. 86-426, §1, Apr. 20, 1960, 74 Stat. 53; Pub. L. 92-136, §6, Oct. 11, 1971, 85 Stat. 378; Pub. L. 96-38, title I, §108(a), July 25, 1979, 93 Stat. 113; Pub. L. 97-51, §§111(a), 112(a), Oct. 1, 1981, 95 Stat. 962; Pub. L. 97-257, title I, §105(a), Sept. 10, 1982, 96 Stat. 849; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

AMENDMENTS

1986—Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

1982—Pub. L. 97-257 inserted reference to the Vice President.

1981—Pub. L. 97-51 substituted “Senators and officers and employees” for “officers (other than Senators) and employees”, struck out cl. (1) which provided that all compensation for the month of December be payable on the twentieth of December, inserted “purposes of title 26 and for” after “For” in second sentence, and struck

out provisions that, in cases in which officers or employees of the Senate died during the month of December and the full compensation of that officer or employee for that month had been disbursed by the Secretary of the Senate before the Secretary received notice of the death, no recovery could be made of any portion of the compensation so disbursed.

1979—Pub. L. 96-38 provided that, in cases in which officers or employees of the Senate die during the month of December and the full compensation of that officer or employee for that month has been disbursed by the Secretary of the Senate before the Secretary receives notice of the death, no recovery shall be made of any portion of the compensation so disbursed.

1971—Cl. (2). Pub. L. 92-136 inserted “(including any holiday on which the banks of the District of Columbia are closed pursuant to law)” after “holiday”.

EFFECTIVE DATE OF 1982 AMENDMENT

Section 105(c) of Pub. L. 97-257 provided that: “Amendments and repeals made by the preceding provisions of this section [amending this section and section 104 of Title 3, The President] shall be effective in the case of compensation payable for months after December 1981.”

EFFECTIVE DATE OF 1981 AMENDMENT

Section 111(b) of Pub. L. 97-51 provided that: “The amendments made by subsection (a) [amending this section] shall be effective in the case of compensation payable for months after December 1982.”

Amendment by section 112(a) of Pub. L. 97-51 effective in the case of compensation payable for months after December 1981, see section 112(e) of Pub. L. 97-51, set out as an Effective Date of 1981 Amendment note under section 33 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Section 108(b) of Pub. L. 96-38 provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 1978.”

EFFECTIVE DATE OF 1971 AMENDMENT

Section 9(b) of Pub. L. 92-136 provided that: “Sections 4 and 6 of this Act [enacting section 60c-2 of this title and amending this section] shall become effective as of July 1, 1971.”

EFFECTIVE DATE

Section 3 of Pub. L. 86-426 provided that: “This joint resolution [enacting this section and amending sections 60d to 60e-1 of this title] shall be effective with respect to compensation accruing on or after the first day of the month following the month in which it is enacted [Apr. 1, 1960].”

§ 60c-2. Repealed. Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068

Section, Pub. L. 92-136, §4, Oct. 11, 1971, 85 Stat. 377, authorized and directed Secretary of Senate, if requested by an individual paid by Secretary, to pay compensation by sending a check to a financial organization designated by the individual. See section 3332 of Title 31, Money and Finance.

§ 60c-2a. Banking and financial transactions of Secretary of Senate

(a) Reimbursement of banks for costs of clearing items for Senate

The Secretary of the Senate is authorized to reimburse any bank which clears items for the United States Senate for the costs incurred therein. Such reimbursements shall be made from the contingent fund of the Senate.

(b) Check cashing regulations for Disbursing Office of Senate

The Secretary of the Senate is authorized to prescribe such regulations as he deems nec-