

Section 286e, based on H. Res. No. 988, §203(f), Ninety-third Congress, Oct. 8, 1974, enacted into permanent law by Pub. L. 93-554, title I, ch. III, §101, Dec. 27, 1974, 88 Stat. 1777, related to compensation of Staff Director and staff of Legislative Classification Office.

Section 286f, based on H. Res. No. 988, §203(g), Ninety-third Congress, Oct. 8, 1974, enacted into permanent law by Pub. L. 93-554, title I, ch. III, §101, Dec. 27, 1974, 88 Stat. 1777, related to expenditures of Legislative Classification Office.

Section 286g, based on H. Res. No. 988, §203(h), Ninety-third Congress, Oct. 8, 1974, enacted into permanent law by Pub. L. 93-554, title I, ch. III, §101, Dec. 27, 1974, 88 Stat. 1777, provided that contingent fund of House was available to carry out this chapter.

CHAPTER 9C—OFFICE OF PARLIAMENTARIAN OF HOUSE OF REPRESENTATIVES

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§ 287. Establishment

There is hereby established in the House of Representatives an office to be known as the Office of the Parliamentarian, hereinafter in this chapter referred to as the "Office".

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

CODIFICATION

Section is based on section 1 of House Resolution No. 502, Ninety-fifth Congress, Apr. 20, 1977, which was enacted into permanent law by Pub. L. 95-94.

EFFECTIVE DATE

Section 6 of House Resolution No. 502, Apr. 20, 1977, as enacted into permanent law by section 115 of Pub. L. 95-94, provided that: "This resolution [this chapter] shall take effect as of March 1, 1977, and shall continue in effect until otherwise provided by law."

§ 287a. Parliamentarian

The management, supervision, and administration of the Office shall be vested in the Parliamentarian, who shall be appointed by the Speaker of the House of Representatives without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed shall serve at the pleasure of the Speaker.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

CODIFICATION

Section is based on section 2 of House Resolution No. 502, Ninety-fifth Congress, Apr. 20, 1977, which was enacted into permanent law by Pub. L. 95-94.

CROSS REFERENCES

Parliamentarian to compile precedents of House, see sections 28 and 29 of this title.

§ 287b. Staff; Deputy Parliamentarian; delegation of functions

(a) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Parliamentarian shall appoint such attorneys and other employees as

may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Parliamentarian with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(b)(1) One of the attorneys appointed under subsection (a) of this section shall be designated by the Parliamentarian as Deputy Parliamentarian. During the absence or disability of the Parliamentarian, or when the office is vacant, the Deputy Parliamentarian shall perform the functions of the Parliamentarian.

(2) The Parliamentarian may delegate to the Deputy Parliamentarian and to other employees appointed under subsection (a) of this section such of the functions of the Parliamentarian as the Parliamentarian considers necessary or appropriate.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

CODIFICATION

Section is based on section 3 of House Resolution No. 502, Ninety-fifth Congress, Apr. 20, 1977, which was enacted into permanent law by Pub. L. 95-94.

§ 287c. Compensation

(a) The Parliamentarian shall be paid at a per annum gross rate established by the Speaker but not in excess of the rate of basic pay determined from time to time under subsection (b) of section 3 of the Speaker's salary directive of June 11, 1968.

(b) Members of the staff of the Office other than the Parliamentarian shall be paid at per annum gross rates fixed by the Parliamentarian with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of the rate of basic pay set forth in subsection (a) of this section.

(Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668.)

REFERENCES IN TEXT

Subsection (b) of section 3 of the Speaker's salary directive of June 11, 1968, referred to in subsec. (a), is set out as a note under section 60a-2 of this title.

CODIFICATION

Section is based on section 4 of House Resolution No. 502, Ninety-fifth Congress, Apr. 20, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

House Resolution No. 904, Eighty-eighth Congress, Oct. 3, 1964, provided: "That effective January 1, 1965, the salary of the Parliamentarian of the House of Representatives shall be at the gross rate of \$28,500. The additional sums necessary to carry out this resolution shall be paid out of the contingent fund of the House until otherwise provided by law."

INCREASES IN COMPENSATION

Increases in compensation for House officers and employees under authority of Federal Salary Act of 1967 (Pub. L. 90-206), Federal Pay Comparability Act of 1970 (Pub. L. 91-656), and Legislative Branch Appropriations Act, 1988 (Pub. L. 100-202), see sections 60a-2 and 60a-2a

of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

§ 287d. Expenditures

In accordance with policies and procedures approved by the Speaker, the Parliamentarian may make such expenditures as may be necessary or appropriate for the functioning of the Office.

(Pub. L. 95–94, title I, § 115, Aug. 5, 1977, 91 Stat. 668.)

CODIFICATION

Section is based on section 5 of House Resolution No. 502, Ninety-fifth Congress, Apr. 20, 1977, which was enacted into permanent law by Pub. L. 95–94.

CHAPTER 9D—OFFICE OF SENATE LEGAL COUNSEL

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§ 288. Office of Senate Legal Counsel

(a) Establishment; appointment of Counsel and Deputy Counsel; Senate approval; reappointment; compensation

(1) There is established, as an office of the Senate, the Office of Senate Legal Counsel (hereinafter referred to as the “Office”), which shall be headed by a Senate Legal Counsel (hereinafter referred to as the “Counsel”); and there shall be a Deputy Senate Legal Counsel (hereinafter referred to as the “Deputy Counsel”) who shall perform such duties as may be assigned to him by the Counsel and who, during any absence, disability, or vacancy in the position of the Counsel, shall serve as Acting Senate Legal Counsel.

(2) The Counsel and the Deputy Counsel each shall be appointed by the President pro tempore of the Senate from among recommendations submitted by the majority and minority leaders of the Senate. Any appointment made under this paragraph shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person appointed as Counsel or Deputy Counsel shall be learned in the law, a member of the bar of a State or the District of Columbia, and shall not engage in any other business, vocation, or employment during the term of such appointment.

(3)(A) Any appointment made under paragraph (2) shall become effective upon approval by resolution of the Senate. The Counsel and the Deputy Counsel shall each be appointed for a term of service which shall expire at the end of the Congress following the Congress during which the Counsel or Deputy Counsel, respectively, is appointed except that the Senate may, by resolution, remove either the Counsel or the Deputy Counsel prior to the termination of any term of service. The Counsel and the Deputy Counsel may be reappointed at the termination of any term of service.

(B) The first Counsel and the first Deputy Counsel shall be appointed, approved, and begin service within ninety days after January 3, 1979, and thereafter the Counsel and Deputy Counsel shall be appointed, approved, and begin service within thirty days after the beginning of the session of the Congress immediately following the termination of a Counsel’s or Deputy Counsel’s term of service or within sixty days after a vacancy occurs in either position.

(4) The Counsel shall receive compensation at a rate equal to the annual rate of basic pay for level III of the Executive Schedule under section 5314 of title 5. The Deputy Counsel shall receive