

(d) This section shall not be deemed to authorize any adjustment in the rates of pay of employees whose rates of pay are disbursed by the Chief Administrative Officer and are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices, including employees subject to the House Wage Schedule.

(e) No rate of pay shall be adjusted under this section to an amount in excess of the rate of basic pay of level V of the Executive Schedule contained in section 5316 of title 5.

(Pub. L. 91-656, § 5, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, § 3(b), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, § 14(b), Aug. 19, 1972, 86 Stat. 575; Pub. L. 101-509, title V, § 529 [title I, § 101(b)(4)(F), (10)], Nov. 5, 1990, 104 Stat. 1427, 1440, 1442; Pub. L. 102-378, § 5(b), Oct. 2, 1992, 106 Stat. 1358; Pub. L. 104-186, title II, § 204(1), Aug. 20, 1996, 110 Stat. 1729.)

CODIFICATION

In subsec. (b), “sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31” substituted for “section 665 of title 31, United States Code” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-186, § 204(1)(A), substituted “Chief Administrative Officer of the House of Representatives” for “Clerk of the House of Representatives” in introductory provisions.

Subsec. (a)(1). Pub. L. 104-186, § 204(1)(D), substituted “Chief Administrative Officer” for “Clerk” in concluding provisions.

Subsec. (a)(1)(A). Pub. L. 104-186, § 204(1)(B), substituted “Chief Administrative Officer” for “Clerk of the House”.

Subsec. (a)(1)(B). Pub. L. 104-186, § 204(1)(C), struck out “, including but not limited to—

“(i) the clerk hire allowance for each Member of the House of Representatives and the Resident Commissioner from Puerto Rico; and

“(ii) the allowances for additional office personnel in the offices of the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, of the House of Representatives”

after “class of employees”.

Subsec. (a)(2). Pub. L. 104-186, § 204(1)(E), substituted “Chief Administrative Officer” for “Clerk” in two places.

Subsec. (b). Pub. L. 104-186, § 204(1)(F), substituted “Chief Administrative Officer” for “Clerk of the House”.

Subsec. (d). Pub. L. 104-186, § 204(1)(G), substituted “Chief Administrative Officer” for “Clerk of the House of Representatives”.

1992—Subsec. (a). Pub. L. 102-378 inserted “of title 5” after “section 5303”.

1990—Subsec. (a). Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(i)], substituted “(a) Whenever an adjustment under section 5303 becomes effective with respect to rates of pay under the General Schedule,” for “(a) Whenever a pay adjustment by the President under section 5305 of title 5 is made effective pursuant to subsection (a)(2), or subsections (c) to (m), inclusive, as the case may be, of such section 5305, or section 3(c) of this Act, then”.

Subsec. (a)(1). Pub. L. 101-509, § 529 [title I, § 101(b)(10)], made technical correction to Pub. L. 92-298 and Pub. L. 92-392, see 1972 Amendment note below.

Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(iii)], in closing provisions, substituted “adjustment under such section 5303;” for “pay adjustment made by the President;”.

Subsec. (a)(1)(A). Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(ii)], substituted “adjustment)” for “pay adjustment by the President)”.

1972—Subsec. (a)(1). Pub. L. 92-298 and Pub. L. 92-392, as amended by Pub. L. 101-509, § 529 [title I, § 101(b)(10)], made identical substitutions in introductory provisions of “effective on the first day of the month in which such pay adjustments by the President” for “effective at the beginning of the first pay period commencing on or after the day on which such pay adjustment by the President”.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101-509, set out as a note under section 5301 of Title 5, Government Organization and Employees.

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)(III) 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

FEBRUARY 3, 2004

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), in order to ensure parity of treatment between employees of the House of Representatives and certain other employees of the Government, it is hereby—

Ordered,

PAY FOR SPECIFIED POSITIONS

SECTION 1. (a) The annual rate of pay for the Clerk, the Sergeant-at-Arms, the Chief Administrative Officer, the Chaplain, the Parliamentarian, the Legislative Counsel, the Law Revision Counsel, the General Counsel to the House, the Inspector General, and the Director of Interparliamentary Affairs is \$156,600.

(b) Subject to the approval of the Speaker, the Clerk, the Sergeant-at-Arms, the General Counsel to the House, and the Law Revision Counsel may establish the pay for the Deputy Clerk, the Deputy Sergeant-at-Arms, the Deputy General Counsel, and, notwithstanding section 2(b)(2), the Deputy Law Revision Counsel, respectively, at a maximum annual rate of \$155,099.

PAY FOR CERTAIN OTHER POSITIONS

SEC. 2. (a) Subject to the maximums under subsection (b), the following Members, officers, and employees are authorized to establish annual rates of pay for their respective employees:

(1) The Speaker.

(2) The majority and minority leaders, including with respect to the majority leader, for the Republican employee under subsection (b)(1)(B)(i).

(3) The majority and minority whips.

(4) The chief deputy majority and minority whips.

(5) The Chairman of the Republican Steering Committee and the Chairman of the Republican Conference, other than for the Republican employee referred to in paragraph (2).

(6) The Chairman of the Democratic Steering and Policy Committee and the Chairman of the Democratic Caucus.

(7) The Parliamentarian, subject to the approval of the Speaker.

(8) The Legislative Counsel, subject to the approval of the Speaker.

(9) The Law Revision Counsel, subject to the approval of the Speaker.

(b)(1) The maximum annual rate under subsection (a) is \$156,600 for—

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

(B)(i) one employee of the Republican Conference and one employee of the Democratic Steering and Policy Committee, (ii) any employee in a position under 77 Stat. 817, (iii) 6 minority employees, (iv) the employee in the position in the Office of the Speaker created in 1967, (v) 3 employees in the Speaker’s Office for Legislative Floor Activities, and (vi) 3 further minority employees.

(2) The maximum annual rate under subsection (a) is \$153,022 for any employee whose maximum annual rate of pay, but for the pay authority of the Speaker referred to in paragraph (1), would be subject to a maximum equal to the rate payable for level V of the Executive Schedule.

PAY FOR EMPLOYEES OF COMMITTEES

SEC. 3. (a) Except as provided in subsection (b), the chairman of a standing, special, or select committee of the House or of a joint committee of Congress, if applicable, may establish the pay for employees of the committee at a maximum annual rate of \$153,022.

(b)(1) Each chairman may establish the pay for 3 employees at a maximum annual rate of \$156,600, with one such employee to be designated by the ranking minority party member.

(2) Each chairman may establish the pay for 9 employees at a maximum annual rate of \$155,099, with 3 such employees to be designated by the ranking minority party member, except that the Chairman of the Committee on Appropriations may so establish pay for 24 employees, with 7 such employees to be designated by the ranking minority party member.

PAY FOR EMPLOYEES OF MEMBERS

SEC. 4. Each Member of the House may establish the pay for employees in the office of the Member at a maximum annual rate of \$153,022.

MISCELLANEOUS PAY PROVISIONS

SEC. 5. (a) Subject to the approval of the Speaker, the Clerk may establish the pay for 3 employees at a maximum annual rate of \$153,022.

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

(1) for 2 employees at a maximum annual rate of \$153,022; and

(2) for 2 employees at a maximum annual rate equal to 75 percent of the maximum under paragraph (1).

(c) Subject to the approval of the Speaker, the Chief Administrative Officer may establish the pay—

(1) for 2 employees at a maximum annual rate of \$153,022; and

(2) for 3 employees at a maximum annual rate of \$155,099.

(d) The Speaker may establish the pay of the Director of the Office of Emergency Planning, Preparedness, and Operations at a maximum annual rate of \$155,099 and the pay of one additional employee of that office at a maximum annual rate of \$153,022.

GENERAL LIMITATION

SEC. 6. The maximum annual rate of pay is \$153,022 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. 7. An employee who, under applicable rules and regulations, is paid from 2 or more House sources may receive pay totaling the highest limitation applicable to any of the positions the employee occupies.

EFFECTIVE DATE

SEC. 8. The provisions of this Order shall take effect on January 1, 2004.

J. DENNIS HASTERT
Speaker

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

- Jan. 3, 2004, eff. Jan. 1, 2004.
- Jan. 9, 2003, eff. Jan. 1, 2003.
- Jan. 5, 2002, eff. Jan. 1, 2002.
- Jan. 5, 2001, eff. Jan. 1, 2001.
- Jan. 5, 2000, eff. Jan. 1, 2000.
- Feb. 3, 1999, eff. Feb. 1, 1999.
- Jan. 24, 1997, eff. Feb. 1, 1997.
- 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”.