

note, 136a, 136a-1, and 4501 of this title, section 104 of Title 3, The President, sections 42a and 51a of former Title 31, Money and Finance, sections 162a and 166b of former Title 40, Public Buildings, Property, and Works, and section 303 of Title 44, Public Printing and Documents].”

§ 356a. Omitted

CODIFICATION

Section, Pub. L. 94-440, title II, [§100.] Oct. 1, 1976, 90 Stat. 1446, the Legislative Branch Appropriation Act, 1977, which provided salary rate limitations for positions or offices referred to in section 356 of this title, applied to fiscal year 1977 and was not repeated in subsequent appropriation acts. See decision B-145492 of the Comptroller General of the United States, dated Sept. 21, 1976. Pub. L. 94-440, title II, [§100.] was formerly set out as a note under section 5318 of Title 5, Government Organization and Employees.

§ 357. Report by Commission to President with respect to pay

The Commission shall submit to the President a report of the results of each review conducted by the Commission with respect to rates of pay for the offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title, together with its recommendations. Each such report shall be submitted on such date as the President may designate but not later than December 15 next following the close of the fiscal year in which the review is conducted by the Commission.

(Pub. L. 90-206, title II, §225(g), Dec. 16, 1967, 81 Stat. 644; Pub. L. 99-190, §135(c), Dec. 19, 1985, 99 Stat. 1322; Pub. L. 101-194, title VII, §701(e), Nov. 30, 1989, 103 Stat. 1764.)

AMENDMENTS

1989—Pub. L. 101-194 amended section catchline generally and in text substituted “Commission with respect to rates of pay for” for “Commission of” and “December 15 next following the close of the fiscal year in which the review is conducted by the Commission.” for “December 15 of the fiscal year in which the review is conducted by the Commission.”

1985—Pub. L. 99-190 substituted “December 15” for “January 1 next following the close”.

1985 FISCAL YEAR RECOMMENDATIONS ON PAY RATES OF OFFICES AND POSITIONS

Pub. L. 99-190, §135(g), Dec. 19, 1985, 99 Stat. 1323, provided that: “Notwithstanding section 225(g) of such Act (2 U.S.C. 357), the Commission on Executive, Legislative, and Judicial Salaries shall not make recommendations on the rates of pay of offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 225(f) of such Act (2 U.S.C. 356) in connection with the review of rates of pay of such offices and positions conducted by the Commission in fiscal year 1985.”

§ 358. Recommendations of President with respect to pay

(1) After considering the report and recommendations of the Commission submitted under section 357 of this title, the President shall transmit to Congress his recommendations with respect to the exact rates of pay, for offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title, which the President considers to be fair and reasonable in light of the Commission’s report and

recommendations, the prevailing market value of the services rendered in the offices and positions involved, the overall economic condition of the country, and the fiscal condition of the Federal Government.

(2) The President shall transmit his recommendations under this section to Congress on the first Monday after January 3 of the first calendar year beginning after the date on which the Commission submits its report and recommendations to the President under section 357 of this title.

(Pub. L. 90-206, title II, §225(h), Dec. 16, 1967, 81 Stat. 644; Pub. L. 99-190, §135(d), Dec. 19, 1985, 99 Stat. 1322; Pub. L. 101-194, title VII, §701(f), Nov. 30, 1989, 103 Stat. 1765.)

AMENDMENTS

1989—Pub. L. 101-194 amended section generally. Prior to amendment, section read as follows: “The President shall include, in the budget next transmitted under section 1105(a) of title 31 by him to the Congress after the date of the submission of the report and recommendations of the Commission under section 357 of this title, his recommendations with respect to the exact rates of pay which he deems advisable, for those offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title.”

1985—Pub. L. 99-190 inserted reference to section 1105(a) of title 31, and struck out last sentence defining “budget”.

COMMISSION’S FIRST REPORT AFTER JULY 30, 1983, TO INCLUDE RECOMMENDATION FOR APPROPRIATE SALARY FOR MEMBERS OF CONGRESS; PROHIBITION ON RECEIPT OF HONORARIA

Pub. L. 98-63, title I, §908(e), July 30, 1983, 97 Stat. 338, which directed Commission on Executive, Legislative, and Judicial Salaries to include in first report required to be submitted by it after July 30, 1983, a recommendation for an appropriate salary for Members, which recommendation was to assume a prohibition on receipt of honoraria by Members, was repealed by Pub. L. 102-90, title I, §6(c), Aug. 14, 1991, 105 Stat. 451.

COMPENSATION AND EMOLUMENTS OF ATTORNEY GENERAL

Pub. L. 94-2, Feb. 18, 1975, 89 Stat. 4, provided in part that the compensation and other emoluments attached to the Office of the Attorney General on and after Feb. 4, 1975, shall be those that on or after Feb. 18, 1975, attach to offices and positions at level I of the Executive Schedule (section 5312 of Title 5).

RECOMMENDATIONS FOR INCREASES IN EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES

Transmitted to Congress Jan. 9, 1989

H.Doc. No. 101-21, Cong. Rec., vol. 135, pt. 1, p. 251, Jan. 19, 1989

*Dear Mr. Speaker: (Dear Mr. President:)*¹

As required by section 225 of the Federal Salary Act of 1967, Public Law 90-206 (2 U.S.C. 351 *et seq.*), the latest Quadrennial Commission on Executive, Legislative, and Judicial Salaries (“Commission”) has submitted to me recommendations on salaries for Senators, Representatives, Federal judges, Cabinet officers, and other agency heads, and certain other officials in the executive, legislative, and judicial branches.

The statute requires that, in the budget next submitted after receipt of the report of the Commission, I set forth recommendations for adjustment of these salaries. Pursuant to section 225(i), as amended by section 135 of Public Law 99-190 [2 U.S.C. 359], these recommendations will be effective unless Congress disapproves the recommendation by a joint resolution within 30 days following the transmittal of my budget.