

§ 5128. Staff assistance to former Speaker for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker; compensation and status of staff

In order to provide staff assistance to the Speaker in connection with the administration, settlement, and conclusion of matters pertaining to or arising out of his incumbency in office as a Representative in Congress and as Speaker of the House of Representatives, the contingent fund of the House is hereby made available, for as long as he determines there is need therefor, commencing at the expiration of the term of office of the Speaker as a Representative in Congress for payment of the salaries of an Administrative Assistant, who shall be paid at a basic per annum rate of not to exceed the then current rate for step 11 of level 13 of the House Employees Schedule, as determined by the Speaker, a Secretary, who shall be paid at a basic per annum rate of not to exceed the then current rate for step 8 of level 12 of such Schedule, as determined by the Speaker, and an additional Secretary, who shall be paid at a gross per annum rate of not to exceed the then current rate for step 7 of level 11 of such Schedule as determined by the Speaker, designated and appointed by the Speaker to serve as members of his office staff in such period. Each person so designated and appointed shall be held and considered, for the duration of such appointment, as—

(1) an “employee” for the purposes of subchapter I of chapter 81 (relating to compensation for work injuries) of title 5, and

(2) a “congressional employee” within the meaning of section 2107 of title 5, for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of such title,

(B) chapter 87 (relating to Federal employees group life insurance) of such title, and

(C) chapter 89 (relating to Federal employees group health insurance) of such title.

(Pub. L. 91-665, ch. VIII, Jan. 8, 1971, 84 Stat. 1989; Pub. L. 93-532, §1(a), Dec. 22, 1974, 88 Stat. 1723; Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668; Pub. L. 99-151, title I, §102(a), Nov. 13, 1985, 99 Stat. 797; Pub. L. 104-186, title II, §203(3), Aug. 20, 1996, 110 Stat. 1725; Pub. L. 108-447, div. G, title I, §110, Dec. 8, 2004, 118 Stat. 3177; Pub. L. 110-161, div. H, title I, §105, Dec. 26, 2007, 121 Stat. 2225.)

CODIFICATION

Section was formerly classified to section 31b-5 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 5 of House Resolution No. 1238, Ninety-first Congress, Dec. 22, 1970, which was enacted into permanent law by Pub. L. 91-665.

Amendment by Pub. L. 95-94 is based on section 2 of House Resolution No. 1576, Ninety-fourth Congress, Sept. 30, 1976, which was enacted into permanent law by Pub. L. 95-94.

As originally enacted into permanent law, section applied to Speaker of House of Representatives in 91st Congress and has been extended to apply to each former Speaker of House of Representatives. See section 1(a) of Pub. L. 93-532, set out as a note under section 5125 of this title.

AMENDMENTS

2007—Pub. L. 110-161 substituted “step 7 of level 11” for “step 1 of level 6”.

2004—Pub. L. 108-447 substituted “step 11 of level 13” for “step 5 of level 11” and “step 8 of level 12” for “step 9 of level 8”.

1996—Pub. L. 104-186 substituted “for payment of” for “to enable the Clerk of the House to pay”.

1985—Pub. L. 99-151 substituted “not to exceed the then current rate for step 5 of level 11 of the House Employees Schedule” for “not to exceed \$3,000” the first place it appeared, “not to exceed the then current rate for step 9 of level 8 of such Schedule” for “not to exceed \$3,000” the second place it appeared, and “not to exceed the then current rate for step 1 of level 6 of such Schedule” for “not to exceed \$9,000”.

1977—Pub. L. 95-94 inserted reference to an additional Secretary paid at a gross per annum of not to exceed \$9,000 as determined by the Speaker and struck out “as Administrative Assistant or Secretary” after “Each person so designated and appointed”.

EFFECTIVE DATE OF 1977 AMENDMENT

Section 2 of H. Res. 1576 provided that amendment is effective on the date of enactment of such section 2 into permanent law, Aug. 5, 1977, the date of approval of Pub. L. 95-94. See Codification note above.

EFFECTIVE DATE

Section effective Jan. 8, 1971, see Effective Date note set out under section 5125 of this title.

§ 5129. Availability of entitlements of former Speaker for 5 years

The entitlements of a former Speaker of the House of Representatives under sections 5125 to 5129 of this title shall be available—

(1) in the case of an individual who is a former Speaker on October 1, 1993, for 5 years, commencing on October 1, 1993; and

(2) in the case of an individual who becomes a former Speaker after October 1, 1993, for 5 years, commencing at the expiration of the term of office of the individual as a Representative in Congress.

(Pub. L. 103-69, title I, §101A(a), Aug. 11, 1993, 107 Stat. 699.)

CODIFICATION

Section was formerly classified to section 31b-7 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 8 of House Resolution No. 1238, Ninety-first Congress, Dec. 23, 1970, as added by Pub. L. 103-69. House Resolution No. 1238 was enacted into permanent law by Pub. L. 91-665, ch. VIII, Jan. 8, 1971, 84 Stat. 1989.

EFFECTIVE DATE

Pub. L. 103-69, title I, §101A(b), Aug. 11, 1993, 107 Stat. 699, provided that: “The amendment made by subsection (a) [enacting this section] shall take effect on October 1, 1993.”

SUBCHAPTER III—MAJORITY AND MINORITY LEADERS AND WHIPS

§ 5141. Additional employees in offices of House Minority Leader, Majority Whip, and Chief Deputy Majority Whip; authorization; compensation

(a) Subject to the provisions of subsection (b), effective March 1, 1977, there shall be two additional employees in the office of the minority leader, and one additional employee each in the offices of the majority whip and the chief deputy majority whip.