

**§ 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.

(b) The annual rate of compensation for any individual employed under subsection (a) shall not exceed the annual rate of basic pay of level V of the Executive Schedule of section 5316 of title 5, and until otherwise provided by law such compensation as may be necessary shall be paid from the applicable accounts of the House of Representatives.

(Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668; Pub. L. 104-53, title I, § 103, Nov. 19, 1995, 109 Stat. 520; Pub. L. 104-186, title II, § 204(15)(A), Aug. 20, 1996, 110 Stat. 1732.)

#### CODIFICATION

Section was formerly classified to section 74a-3 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 1 of House Resolution No. 393, Ninety-fifth Congress, Mar. 31, 1977, which was enacted into permanent law by Pub. L. 95-94.

Amendment by Pub. L. 104-53 is based on section 3(b) of House Resolution No. 113, One Hundred Fourth Congress, Mar. 10, 1995, which was enacted into permanent law by Pub. L. 104-53.

#### AMENDMENTS

1996—Subsec. (b). Pub. L. 104-186 substituted “applicable accounts of the House of Representatives” for “contingent fund of the House”.

1995—Subsec. (a). Pub. L. 104-53 substituted “chief deputy majority whip” for “chief majority whip”.

#### EFFECTIVE DATE OF 1995 AMENDMENT

Section 3(a) of House Resolution No. 113, One Hundred Fourth Congress, Mar. 10, 1995, as enacted into permanent law by Pub. L. 104-53, title I, § 103, Nov. 19, 1995, 109 Stat. 520, provided that: “Upon the enactment of this section into permanent law, the amendment made by subsection (b) [amending this section] shall take effect.”

#### 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 4531 and 4532 of this title, and Salary Directives of Speaker of the House, set out as notes under those sections.

### § 5142. Additional amounts for personnel and equipment for House Majority and Minority Leaders and Majority and Minority Whips

Effective March 1, 1977, and until otherwise provided by law, there shall be paid out of the applicable accounts of the House of Representatives such additional amounts as may be necessary for office personnel, and rental or lease of necessary equipment, of each of the following officials of the House the following per annum amounts:

- (1) The majority leader, \$30,000.
- (2) The minority leader, \$30,000.
- (3) The majority whip, \$15,000.
- (4) The minority whip, \$15,000.

(Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668; Pub. L. 104-186, title II, § 204(15)(B), Aug. 20, 1996, 110 Stat. 1732.)

#### CODIFICATION

Section was formerly classified to section 74a-4 of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 2 of House Resolution No. 393, Ninety-fifth Congress, Mar. 31, 1977, which was enacted into permanent law by Pub. L. 95-94.

#### AMENDMENTS

1996—Pub. L. 104-186 substituted “applicable accounts of the House of Representatives” for “contingent fund of the House”.

#### LIMITS ON USES OF FUNDS

Pub. L. 98-51, title I, § 112, July 14, 1983, 97 Stat. 270, as amended by Pub. L. 104-186, title II, § 204(16), Aug. 20, 1996, 110 Stat. 1732, provided that: “The funds provided under the provisions of section 2 of House Resolution 393, Ninety-fifth Congress, agreed to March 31, 1977, as enacted into permanent law by section 115 of the Congressional Operations Appropriation Act, 1978 [2 U.S.C. 5142], and section 473 of the Legislative Reorganization Act of 1970 [2 U.S.C. 5103], shall be limited to use for the compensation of additional personnel and other necessary official expenses.”

### § 5143. Compensation of certain House minority employees

Effective January 3, 1977, and until otherwise provided by law, the rate of pay for each of the six positions of minority employee authorized by the Legislative Pay Act of 1929 and referred to in House Resolution 441 of the Ninety-first Congress shall be a per annum gross rate equal to the annual rate of basic pay of level IV of the Executive Schedule of section 5315 of title 5, unless a lower rate is established by the Minority Leader.

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

#### REFERENCES IN TEXT

The Legislative Pay Act of 1929, referred to in text, is act June 20, 1929, ch. 33, 46 Stat. 32. For complete classification of this Act to the Code, see Tables.

House Resolution 441, referred to in text, is set out as a Prior Provisions note below.

#### CODIFICATION

Section was formerly classified to section 74c of this title prior to editorial reclassification and renumbering as this section.

Section is based on section 1 of House Resolution 119, Ninety-fifth Congress, Jan. 19, 1977, which was enacted into permanent law by Pub. L. 95-94.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in House Resolution 441, Ninety-first Congress, June 17, 1969, as enacted into permanent law by Pub. L. 91-145, § 103, Dec. 12, 1969, 83 Stat. 359, which provided: “That, until otherwise provided by law—

“(1) The six positions of minority employee listed in House Resolution 8, Ninety-first Congress, as supplemented by House Resolution 238, Ninety-first Congress, and House Resolution 265, Ninety-first Congress, are hereby given position titles in the descending order in which those six positions are listed in House Resolution 8, as follows:

“(A) the position title of the position listed first is ‘Floor Assistant to the Minority’;

“(B) the position title of the position listed second is ‘Floor Assistant to the Minority’;

“(C) the position title of the position listed third is ‘Floor Assistant to the Minority’;

“(D) the position title of the position listed fourth is ‘Floor Assistant to the Minority’;

“(E) the position title of the position listed fifth is ‘Pair Clerk to the Minority’; and

“(F) the position title of the position listed sixth is ‘Staff Director to the Minority’.