

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-186, §1(a), Aug. 20, 1996, 110 Stat. 1718, provided that: “This Act [see Tables for classification] may be cited as the ‘House of Representatives Administrative Reform Technical Corrections Act.’”

SHORT TITLE OF 1964 AMENDMENT

Pub. L. 88-426, title II, §201, Aug. 14, 1964, 78 Stat. 413, provided that: “This title [see Tables for classification] may be cited as the ‘Federal Legislative Salary Act of 1964.’”

HOLDING SALARIES OF MEMBERS OF CONGRESS IN ESCROW UPON FAILURE TO AGREE TO BUDGET RESOLUTION

Pub. L. 113-3, §3, Feb. 4, 2013, 127 Stat. 51, provided that:

“(a) HOLDING SALARIES IN ESCROW.—

“(1) IN GENERAL.—If by April 15, 2013, a House of Congress has not agreed to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974 [2 U.S.C. 632], during the period described in paragraph (2) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

“(2) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this paragraph is the period which begins on April 16, 2013, and ends on the earlier of—

“(A) the day on which the House of Congress agrees to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974 [2 U.S.C. 632]; or

“(B) the last day of the One Hundred Thirteenth Congress.

“(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator shall provide for the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) that would apply to the payment if the payment were not subject to paragraph (1).

“(4) RELEASE OF AMOUNTS AT END OF THE CONGRESS.—In order to ensure that this section is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the twenty-seventh article of amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Thirteenth Congress.

“(5) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this section.

“(b) TREATMENT OF DELEGATES AS MEMBERS.—In this section, the term ‘Member’ includes a Delegate or Resident Commissioner to the Congress.

“(c) PAYROLL ADMINISTRATOR DEFINED.—In this section, the ‘payroll administrator’ of a House of Congress means—

“(1) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section; and

“(2) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section.”

COST OF LIVING ADJUSTMENT

Pub. L. 116-260, §7, Dec. 27, 2020, 134 Stat. 1185, provided that: “Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2021.”

Similar provisions were contained in the following prior acts:

Pub. L. 116-94, §7, Dec. 20, 2019, 133 Stat. 2536.

Pub. L. 115-244, div. B, title II, §212, Sept. 21, 2018, 132 Stat. 2946.

Pub. L. 115-141, §7(a), Mar. 23, 2018, 132 Stat. 351.

Pub. L. 114-223, div. C, §175, as added by Pub. L. 114-254, div. A, §101(3), Dec. 10, 2016, 130 Stat. 1012.

Pub. L. 114-113, §9, Dec. 18, 2015, 129 Stat. 2245.

Pub. L. 113-235, §8, Dec. 16, 2014, 128 Stat. 2133.

Pub. L. 113-46, div. A, §146, Oct. 17, 2013, 127 Stat. 565.

Pub. L. 112-240, title VIII, §802, Jan. 2, 2013, 126 Stat. 2369.

Pub. L. 111-165, §1, May 14, 2010, 124 Stat. 1185.

Pub. L. 111-8, div. J, §103, Mar. 11, 2009, 123 Stat. 988.

Pub. L. 109-289, div. B, title I, §115, as added by Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 12.

Pub. L. 103-6, §7, Mar. 4, 1993, 107 Stat. 35.

ANNUAL RATE OF PAY INCREASE FOR CERTAIN MEMBERS OF CONGRESS SERVING ON OR AFTER JULY 1, 1983

Pub. L. 98-63, title I, §908(d), (f), July 30, 1983, 97 Stat. 338, which provided that, effective with respect to service as a Member performed on or after July 1, 1983, and notwithstanding any other provision of law, in the case of a Member serving in office or position of Senator, President pro tempore of Senate, Majority Leader of Senate, or Minority Leader of Senate during a calendar year, the annual rate of pay paid to such Member for such service would not be less than the annual rate of pay payable for such position on Dec. 17, 1982, increased by 15 percent and rounded in accordance with section 5318 of Title 5, was repealed by Pub. L. 102-90, title I, §6(c), Aug. 14, 1991, 105 Stat. 451.

SALARY INCREASES

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of this title.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of Title 5, Government Organization and Employees.

Executive Documents

ADJUSTMENT OF PAY RATES

For adjustment of pay rates under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of Title 5, Government Organization and Employees.

§ 4502. Appropriation of funds for compensation of Members of Congress and for administrative expenses at levels authorized by law and recommended by the President for Federal employees

Effective beginning with fiscal year 1983, and continuing each year thereafter, such sums as hereafter may be necessary for “Compensation of Members” (and administrative expenses related thereto), as authorized by law and at such level recommended by the President for Federal employees for that fiscal year are hereby appropriated from money in the Treasury not otherwise appropriated. Such sums when paid shall be in lieu of any sums accrued in prior years but not paid. For purposes of this subsection, the

term “Member” means each Member of the Senate and the House of Representatives, the Resident Commissioner from Puerto Rico, the Delegates from the District of Columbia, Guam, Virgin Islands, and American Samoa, and the Vice President.

(Pub. L. 97–51, §130(c), Oct. 1, 1981, 95 Stat. 966.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 31 of this title prior to editorial reclassification and renumbering as this section.

§ 4503. Jury and witness service by Senate and House employees

(a) Definitions

For purposes of this section—

(1) “employee” means any individual whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(2) “court of the United States” has the meaning given it by section 451 of title 28 and includes the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands.

(b) Service as juror or witness in connection with a judicial proceeding; prohibition against reduction of pay

The pay of an employee shall not be reduced during a period of absence with respect to which the employee is summoned (and permitted to respond to such summons by the appropriate authority of the House of the Congress disbursing his pay), in connection with a judicial proceeding by a court or authority responsible for the conduct of that proceeding, to serve—

(1) as a juror; or

(2) other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party;

in the District of Columbia, a State, territory, or possession of the United States including the Commonwealth of Puerto Rico, the Canal Zone, or the Trust Territory of the Pacific Islands. For purposes of this subsection, “judicial proceeding” means any action, suit, or other judicial proceeding, including any condemnation, preliminary, informational, or other proceeding of a judicial nature, but does not include an administrative proceeding.

(c) Official duty

An employee is performing official duty during the period with respect to which he is summoned (and is authorized to respond to such summons by the House of the Congress disbursing his pay), or is assigned by such House, to—

(1) testify or produce official records on behalf of the United States or the District of Columbia; or

(2) testify in his official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

(d) Prohibition on receipt of jury or witness fees

(1) An employee may not receive fees for service—

(A) as juror in a court of the United States or the District of Columbia; or

(B) as a witness on behalf of the United States or the District of Columbia.

(2) If an employee receives an amount (other than travel expenses) for service as a juror or witness during a period in which his pay may not be reduced under subsection (b) of this section, or for which he is performing official duty under subsection (c) of this section, the employee shall remit such amount to the officer who disburses the pay of the employee, which amount shall be covered into the general fund of the Treasury as miscellaneous receipts.

(e) Travel expenses

(1) An employee summoned (and authorized to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify or produce official records on behalf of the United States is entitled to travel expenses. If the case involves an activity in connection with which he is employed, the travel expenses shall be paid from funds otherwise available for the payment of travel expenses of such House in accordance with travel regulations of that House. If the case does not involve such an activity, the department, agency, or independent establishment of the United States on whose behalf he is so testifying or producing records shall pay to the employee his travel expenses out of appropriations otherwise available, and in accordance with regulation applicable, to that department, agency, or independent establishment for the payment of travel expenses.

(2) An employee summoned (and permitted to respond to such summons by the House of the Congress disbursing his pay), or assigned by such House, to testify in his official capacity or produce official records on behalf of a party other than the United States, is entitled to travel expenses, unless any travel expenses are paid to the employee for his appearance by the court, authority, or party which caused him to be summoned.

(f) Rules and regulations

The Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives are authorized to prescribe, for employees of their respective Houses, such rules and regulations as may be necessary to carry out the provisions of this section.

(g) Congressional consent not conferred for production of official records or to testimony concerning activities related to employment

No provision of this section shall be construed to confer the consent of either House of the Congress to the production of official records of that House or to testimony by an employee of that House concerning activities related to his employment.

(Pub. L. 91–563, §6, Dec. 19, 1970, 84 Stat. 1478; Pub. L. 94–310, §2, June 15, 1976, 90 Stat. 687; Pub. L. 104–186, title II, §204(74), (75), Aug. 20, 1996, 110 Stat. 1741.)