

placed in a higher compensation level of such schedule pursuant to a reclassification of such position, shall be paid compensation in such higher compensation level, in accordance with the following provisions, whichever is first applicable in the following numerical order of precedence:

(1) at the rate of the lowest step for which the rate of compensation equals the rate of compensation for that step, in the compensation level from which he is appointed, which is two steps above the step in such level which he had attained immediately prior to such appointment;

(2) at the rate of the lowest step for which the rate of compensation exceeds, by not less than two steps of the compensation level from which he is appointed, his rate of compensation immediately prior to such appointment; or

(3) at the rate of the highest step of such higher compensation level, or at his rate of compensation immediately prior to such appointment, whichever rate is the higher.

(b) The committee may provide by regulations for the payment of compensation, at an appropriate compensation step determined in accordance with such regulations, to each employee subject to the House Wage Schedule (HWS) who is appointed to a position in a higher compensation level of such schedule or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position.

(Pub. L. 88-652, § 8, Oct. 13, 1964, 78 Stat. 1082.)

**§ 298. Reductions in compensation level**

Each employee in a position of a compensation level of the House Employees Schedule (HS) or the House Wage Schedule (HWS), whose employment in such position and level is terminated and who is reemployed, with or without break in service, in a position in a lower compensation level (HS level or HWS level) of such schedule, or whose position is placed in a lower compensation level of such schedule pursuant to a reclassification of such position, shall be placed by the committee in such step of such lower compensation level as the committee deems appropriate.

(Pub. L. 88-652, § 9, Oct. 13, 1964, 78 Stat. 1083.)

**§ 299. Repealed. Pub. L. 106-554, § 1(a)(2) [title I, § 102(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-100**

Section, Pub. L. 88-652, § 10, Oct. 13, 1964, 78 Stat. 1083, related to compensation level of individual appointed to position subject to House Employees Schedule or House Wage Schedule.

**EFFECTIVE DATE OF REPEAL**

Pub. L. 106-554, § 1(a)(2) [title I, § 102(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-100, provided that: "The amendment made by subsection (a) [repealing this section] shall apply with respect to employees appointed on or after October 1, 2000."

**§ 300. Establishment of positions; payment from applicable accounts**

The committee may authorize the establishment of additional positions of the kind to

which this chapter applies, on a permanent basis or on a temporary basis of not to exceed six months' duration, whenever, in the judgment of the committee, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives. The compensation of each such position may be paid out of the applicable accounts of the House of Representatives until otherwise provided by law. An additional position of the kind to which this chapter applies shall not be established without authorization of the committee.

(Pub. L. 88-652, § 11, Oct. 13, 1964, 78 Stat. 1083; Pub. L. 104-186, title II, § 209(3), Aug. 20, 1996, 110 Stat. 1743.)

**AMENDMENTS**

1996—Pub. L. 104-186 substituted "applicable accounts" for "contingent fund".

**§ 301. Preservation of existing appointing authorities**

This chapter shall not be held or considered to change or otherwise affect—

(1) any authority to establish positions under the House of Representatives which are not within the purview of this chapter, or

(2) any authority to make appointments to positions under the House of Representatives, irrespective of whether such positions are within the purview of this chapter.

(Pub. L. 88-652, § 12, Oct. 13, 1964, 78 Stat. 1083.)

**§ 302. Regulations**

The committee is authorized to prescribe such regulations as may be necessary to carry out the purposes of this chapter.

(Pub. L. 88-652, § 13, Oct. 13, 1964, 78 Stat. 1084.)

**§ 303. Dual compensation**

For the purposes of applicable law relating to the payment to any employee subject to the House Employees Schedule or the House Wage Schedule of compensation from more than one civilian office or position, the rate of basic compensation of each employee subject to any such schedule shall be held and considered to be that rate which, when increased by additional compensation then currently authorized by law for House employees generally, equals or most nearly equals the per annum rate of compensation of such employee under such schedule.

(Pub. L. 88-652, § 14, Oct. 13, 1964, 78 Stat. 1084.)

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 60e-13 of this title.

**CHAPTER 10A—PAYROLL ADMINISTRATION  
IN HOUSE OF REPRESENTATIVES**

Sec.	
331.	Single per annum gross rates of pay for employees.
332.	Repealed.
333.	Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips.
333a.	Limits on uses of funds provided under section 333.

Sec.	
334.	Repealed.
335.	Obsolete references in existing law to basic pay rates.
336.	Saving provision.

**§ 331. Single per annum gross rates of pay for employees**

Whenever the rate of pay of an employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives is fixed or adjusted on or after the effective date of this section, that rate, as so fixed or adjusted, shall be a single per annum gross rate.

(Pub. L. 91-510, title IV, §471, Oct. 26, 1970, 84 Stat. 1193; Pub. L. 104-186, title II, §210(1), Aug. 20, 1996, 110 Stat. 1743.)

AMENDMENTS

1996—Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

EFFECTIVE DATE

Chapter effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

INCONSISTENT PROVISIONS

Section 477(b) of Pub. L. 91-510 provided that: “All provisions of law inconsistent with any provision of this Part [enacting this chapter, amending section 5533(c) of Title 5, Government Organization and Employees, and repealing sections 60g, 60g-1 and 72a(e) of this title] are hereby superseded to the extent of the inconsistency.”

**§ 332. Repealed. Pub. L. 104-186, title II, § 210(2)(A), Aug. 20, 1996, 110 Stat. 1743**

Section, Pub. L. 91-510, title IV, §472, Oct. 26, 1970, 84 Stat. 1194, directed single per annum gross rates of clerk hire allowances of Members determined on basis of population.

**§ 333. Single per annum gross rates of allowances for personal services in offices of Speaker, Leaders, and Whips**

The allowance for additional office personnel in the office of each of the following officials of the House of Representatives shall be at a single per annum gross rate, as follows:

- (1) the Speaker, \$110,000.
- (2) the Majority Leader, \$90,000.
- (3) the Minority Leader, \$55,000.
- (4) the Majority Whip, \$55,000.
- (5) the Minority Whip, \$55,000.

(Pub. L. 91-510, title IV, §473, Oct. 26, 1970, 84 Stat. 1194.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 333a of this title.

**§ 333a. Limits on uses of funds provided under section 333**

The funds provided under the provisions of section 333 of this title shall be limited to use for the compensation of additional personnel and other necessary official expenses.

(Pub. L. 98-51, title I, §112, July 14, 1983, 97 Stat. 270; Pub. L. 104-186, title II, §204(16), Aug. 20, 1996, 110 Stat. 1732.)

CODIFICATION

Section was enacted as part of the Congressional Operations Appropriation Act, 1984, which is title I of the Legislative Branch Appropriation Act, 1984, and not as part of part 6 (§§471-477) of title IV of Pub. L. 91-510 which in part comprises this chapter.

Section, as it applies to funds provided under section 74a-4 of this title, is classified to section 74a-5 of this title.

AMENDMENTS

1996—Pub. L. 104-186 made technical amendment to reference in original act which appears in text as reference to section 333 of this title.

**§ 334. Repealed. Pub. L. 104-186, title II, § 210(3)(A), Aug. 20, 1996, 110 Stat. 1743**

Section, Pub. L. 91-510, title IV, §474, Oct. 26, 1970, 84 Stat. 1194, directed Clerk of House to convert existing basic pay rates to per annum gross pay rates.

**§ 335. Obsolete references in existing law to basic pay rates**

In any case in which—

(1) the rate of pay of any employee or position, or class of employees or positions, the pay for whom or for which is disbursed by the Chief Administrative Officer of the House of Representatives, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or House resolution; and

(2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or resolution, under section 334<sup>1</sup> of this title on and after such date.

(Pub. L. 91-510, title IV, §475, Oct. 26, 1970, 84 Stat. 1195; Pub. L. 104-186, title II, §210(4), Aug. 20, 1996, 110 Stat. 1743.)

REFERENCES IN TEXT

Section 334 of this title, referred to in text, was repealed by Pub. L. 104-186, title II, §210(3)(A), Aug. 20, 1996, 110 Stat. 1743.

AMENDMENTS

1996—Par. (1). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

**§ 336. Saving provision**

The provisions of this chapter shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, any position for which the pay is disbursed by the Chief Administrative Officer of the House of Representatives; or

(2) affect the continuity of employment of, or reduce the pay of, any employee whose pay is disbursed by the Chief Administrative Officer of the House.

<sup>1</sup> See References in Text note below.

(Pub. L. 91-510, title IV, §476, Oct. 26, 1970, 84 Stat. 1195; Pub. L. 104-186, title II, §210(5), Aug. 20, 1996, 110 Stat. 1743.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Part”, meaning part 6 (§§471-477) of title IV of Pub. L. 91-510, Oct. 26, 1970, 84 Stat. 1193, which enacted this chapter, amended section 5533 of Title 5, Government Organization and Employees, repealed sections 60g, 60g-1, and 72a of this title, and enacted provisions set out as a note under section 331 of this title. For complete classification of part 6 to the Code, see Tables.

#### AMENDMENTS

1996—Pars. (1), (2). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

### CHAPTER 11—CITIZENS’ COMMISSION ON PUBLIC SERVICE AND COMPENSATION

Sec.	
351.	Establishment.
352.	Membership.
353.	Executive Director; additional personnel; detail of personnel of other agencies.
354.	Use of United States mails.
355.	Administrative support services.
356.	Functions.
356a.	Omitted.
357.	Report by Commission to President with respect to pay.
358.	Recommendations of President with respect to pay.
359.	Effective date of recommendations of President.
360.	Effect of recommendations on existing law and prior recommendations.
361.	Publication of recommendations.
362.	Requirements applicable to recommendations.
363.	Additional function.
364.	Provision relating to certain other pay adjustments.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 31 of this title; title 3 section 104; title 5 sections 5312 to 5316; title 26 section 7456; title 28 sections 5, 44, 135, 252.

#### § 351. Establishment

There is hereby established a commission to be known as the Citizens’ Commission on Public Service and Compensation (hereinafter referred to as the “Commission”).

(Pub. L. 90-206, title II, §225(a), Dec. 16, 1967, 81 Stat. 642; Pub. L. 101-194, title VII, §701(a), Nov. 30, 1989, 103 Stat. 1763.)

#### AMENDMENTS

1989—Pub. L. 101-194 substituted “Citizens’ Commission on Public Service and Compensation” for “Commission on Executive, Legislative, and Judicial Salaries”.

#### EFFECTIVE DATE

Chapter effective Dec. 16, 1967, see section 220(a)(1) of Pub. L. 90-206, set out as a note under section 3110 of Title 5, Government Organization and Employees.

#### § 352. Membership

(1) The Commission shall be composed of 11 members, who shall be appointed from private life as follows:

(A) 2 appointed by the President of the United States;

(B) 1 appointed by the President pro tempore of the Senate, upon the recommendation of the majority and minority leaders of the Senate;

(C) 1 appointed by the Speaker of the House of Representatives;

(D) 2 appointed by the Chief Justice of the United States; and

(E) 5 appointed by the Administrator of General Services in accordance with paragraph (4).

(2) No person shall serve as a member of the Commission who is—

(A) an officer or employee of the Federal Government;

(B) registered (or required to register) under the Federal Regulation of Lobbying Act;<sup>1</sup> or

(C) a parent, sibling, spouse, child, or dependent relative, of anyone under subparagraph (A) or (B).

(3) The persons appointed under subparagraphs (A) through (D) of paragraph (1) shall be selected without regard to political affiliation, and should be selected from among persons who have experience or expertise in such areas as government, personnel management, or public administration.

(4) The Administrator of General Services shall by regulation establish procedures under which persons shall be selected for appointment under paragraph (1)(E). Such procedures—

(A) shall be designed in such a way so as to provide for the maximum degree of geographic diversity practicable among members under paragraph (1)(E);

(B) shall include provisions under which those members shall be chosen by lot from among names randomly selected from voter registration lists; and

(C) shall otherwise comply with applicable provisions of this section.

(5) The chairperson shall be designated by the President.

(6) A vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made.

(7) Each member of the Commission shall be paid at the rate of \$100 for each day such member is engaged upon the work of the Commission and shall be allowed travel expenses, including a per diem allowance, in accordance with section 5703 of title 5, when engaged in the performance of services for the Commission.

(8)(A) The terms of office of persons first appointed as members of the Commission shall be for the period of the 1993 fiscal year of the Federal Government, and shall begin not later than February 14, 1993.

(B) After the close of the 1993 fiscal year of the Federal Government, persons shall be appointed as members of the Commission with respect to every fourth fiscal year following the 1993 fiscal year. The terms of office of persons so appointed shall be for the period of the fiscal year with respect to which the appointment is made, except that, if any appointment is made after the beginning and before the close of any such fiscal

<sup>1</sup> See References in Text note below.