Ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007.

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2008

Mr. Reid introduced the following joint resolution; which was read twice, considered, read the third time, and passed

JOINT RESOLUTION

Ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE.

(a) In General.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which
has the force and effect of law, that is enacted or becomes
effective during the period beginning at noon of January

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by
an action of the Secretary of State may bring a civil
action in the United States District Court for the
District of Columbia to contest the constitutionality
of the appointment and continuance in office of the
Secretary of State on the ground that such appoint-
ment and continuance in office is in violation of arti-
cle I, section 6, clause 2, of the Constitution. The
United States District Court for the District of Co-
lumbia shall have exclusive jurisdiction over such a
civil action, without regard to the sum or value of
the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim chal-
lenging the constitutionality of the appointment and
continuance in office of the Secretary of State on
the ground that such appointment and continuance
in office is in violation of article I, section 6, clause
2, of the Constitution, in an action brought under
paragraph (1) shall be heard and determined by a
panel of three judges in accordance with section
2284 of title 28, United States Code. It shall be the
duty of the district court to advance on the docket
and to expedite the disposition of any matter
brought under this subsection.

(3) Appeal.—

(A) Direct appeal to Supreme Court.—An appeal may be taken directly to
the Supreme Court of the United States from
any interlocutory or final judgment, decree, or
order upon the validity of the appointment and
continuance in office of the Secretary of State
under article I, section 6, clause 2, of the Con-
stitution, entered in any action brought under
this subsection. Any such appeal shall be taken
by a notice of appeal filed within 20 days after
such judgment, decree, or order is entered.

(B) Jurisdiction.—The Supreme Court
shall, if it has not previously ruled on the ques-
tion presented by an appeal taken under sub-
paragraph (A), accept jurisdiction over the ap-
peal, advance the appeal on the docket, and ex-
pedite the appeal.

(c) Effective Date.—This joint resolution shall
take effect at 12:00 p.m. on January 20, 2009.