

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. 117–328, § 6, Dec. 29, 2022, 136 Stat. 4462, 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 2023.”

Similar provisions were contained in the following prior acts:

Pub. L. 117–103, § 6, Mar. 15, 2022, 136 Stat. 52.

Pub. L. 116–260, § 7, Dec. 27, 2020, 134 Stat. 1185.

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 ex-

penses 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.)

**Editorial Notes**

**REFERENCES IN TEXT**

For definition of Canal Zone, referred to in subsec. (b), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

**CODIFICATION**

Section was formerly classified to section 130b of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

1996—Subsec. (a)(1). Pub. L. 104-186, §204(74), substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (f). Pub. L. 104-186, §204(75), substituted “House Oversight” for “House Administration”.

1976—Subsec. (b)(2). Pub. L. 94-310 substituted “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” for “as a witness on behalf of a party other than the United States, the District of Columbia, or a private party”.

**Statutory Notes and Related Subsidiaries**

**CHANGE OF NAME**

Committee on House Oversight of House of Representatives changed to Committee on House Adminis-

tration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-310, § 4, June 15, 1976, 90 Stat. 687, provided that: “The amendments made by this Act [amending this section and sections 6322 and 8906 of Title 5, Government Organization and Employees] shall take effect on October 1, 1976, or on the date of the enactment of this Act [June 15, 1976], whichever date is later.”

#### TERMINATION OF UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE

For termination of the United States District Court for the District of the Canal Zone at end of the “transition period”, being the 30 month period beginning Oct. 1, 1979, and ending midnight Mar. 31, 1982, see Paragraph 5 of Article XI of the Panama Canal Treaty of 1977 and sections 2101 and 2201 to 2203(a) of Pub. L. 96-70, title II, Sept. 27, 1979, 93 Stat. 493, formerly classified to sections 3831 and 3841 to 3843, respectively, of Title 22, Foreign Relations and Intercourse.

#### Executive Documents

##### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

### § 4504. Nonpay status for Congressional employees studying under Congressional staff fellowships

(a) With respect to each employee of the Senate or House of Representatives—

(1) whose compensation is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, and

(2) who, on or after January 1, 1963 shall have been separated from employment with the Senate or House of Representatives in order to pursue certain studies under a congressional staff fellowship awarded by the American Political Science Association,

the period of time covered by such fellowship shall be held and considered to be service (in a nonpay status) in employment with the Senate or House of Representatives, as the case may be, at the rate of compensation received immediately prior to separation (including any increases in compensation provided by law during the period covered by such fellowship) for the purposes of the provisions of law specified in subsection (b), if the award of such fellowship to such employee is certified to the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, by the appointing authority concerned or, in the event of the death or disability of such appointing authority, is established to the satisfaction of the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives by records or other evidence.

(b) The provisions of law referred to in subsection (a) are—

(1) subchapter III (relating to civil service retirement) of chapter 83 of title 5;

(2) chapter 87 (relating to Federal employees group life insurance) of title 5; and

(3) chapter 89 (relating to Federal employees group health insurance) of title 5.

(Pub. L. 89-379, Mar. 30, 1966, 80 Stat. 94; Pub. L. 104-186, title II, § 204(73), Aug. 20, 1996, 110 Stat. 1741.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 130a of this title prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

1996—Pub. L. 104-186 designated existing provisions as subsec. (a), in par. (1) substituted “Chief Administrative Officer” for “Clerk”, in provisions following par. (2) substituted “the purposes of the provisions of law specified in subsection (b), if the award” for “the purposes of—

“(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5,

“(B) chapter 87 (relating to Federal employees group life insurance) of title 5, and

“(C) chapter 89 (relating to Federal employees group health insurance) of title 5, if the award”, “Chief Administrative Officer of the House of Representatives, as appropriate” for “Clerk of the House of Representatives, as appropriate”, and “Chief Administrative Officer of the House of Representatives by records” for “Clerk of the House by records”, and added subsec. (b).

### § 4505. Voluntary separation incentive payments

#### (a) Authority to offer payments

Notwithstanding any other provision of law, the head of any office in the legislative branch may establish a program under which voluntary separation incentive payments may be offered to eligible employees of the office to encourage such employees to separate from service voluntarily (whether by retirement or resignation), in accordance with this section.

#### (b) Amount and administration of payments

A voluntary separation incentive payment made under this section—

(1) shall be paid in a lump sum after the employee's separation;

(2) shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(B) an amount determined by the head of the office involved, not to exceed \$25,000;

(3) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under this section;

(4) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit;

(5) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5 based on any other separation; and

(6) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

#### (c) Plan

##### (1) Plan required for making payments

No voluntary separation incentive payment may be paid under this section with respect to