

109TH CONGRESS  
1ST SESSION

# H. R. 4446

To establish a uniform appointment process and term of service for the Architect of the Capitol, the Comptroller General, and the Librarian of Congress, to prohibit the annual amount of payment of compensation to such officers to exceed the annual salary of a Member of Congress, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2005

Mr. LAHOOD (for himself, Mr. NEY, and Mr. LEWIS of California) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a uniform appointment process and term of service for the Architect of the Capitol, the Comptroller General, and the Librarian of Congress, to prohibit the annual amount of payment of compensation to such officers to exceed the annual salary of a Member of Congress, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Legislative Branch Of-  
3 ficer Appointment Act of 2005”.

4 **SEC. 2. ARCHITECT OF THE CAPITOL.**

5 (a) APPOINTMENT AND TERM OF SERVICE.—

6 (1) APPOINTMENT.—The Architect of the Cap-  
7 itol shall be appointed jointly by the Speaker of the  
8 House of Representatives, the Majority Leader of  
9 the Senate, and the Minority Leaders of the House  
10 of Representatives and Senate.

11 (2) TERM OF SERVICE.—The Architect of the  
12 Capitol shall be appointed for a term of 10 years,  
13 and may be reappointed for additional terms.

14 (3) CONFORMING AMENDMENT.—Section 319  
15 of the Legislative Branch Appropriations Act, 1990  
16 (2 U.S.C. 1801) is repealed.

17 (4) EFFECTIVE DATE.—This subsection shall  
18 apply with respect to appointments made on or after  
19 the date of the enactment of this Act.

20 (b) LIMIT ON TOTAL ANNUAL AMOUNT OF COM-  
21 PENSATION.—

22 (1) LIMIT.—Section 1(1) of Public Law 96–146  
23 (2 U.S.C. 1802) is amended to read as follows:

24 “(1) the compensation of the Architect of the  
25 Capitol shall be at an annual rate which is equal to  
26 the higher of the annual salary for the Sergeant at

1 Arms of the House of Representatives or the annual  
2 salary for the Sergeant at Arms of the Senate, and  
3 the total amount of compensation paid to the Archi-  
4 tect of the Capitol in any year, including salary and  
5 any other payments (but excluding the value of any  
6 retirement, health, or other benefits), may not ex-  
7 ceed the annual rate of pay for a Member of Con-  
8 gress for the year, and”.

9 (2) EFFECTIVE DATE.—The amendment made  
10 by paragraph (1) shall apply with respect to com-  
11 pensation paid for any period beginning on or after  
12 the date of the enactment of this Act.

13 **SEC. 3. COMPTROLLER GENERAL.**

14 (a) APPOINTMENT AND TERM OF SERVICE.—

15 (1) APPOINTMENT.—Section 703(a) of title 31,  
16 United States Code, is amended to read as follows:  
17 “(a) The Comptroller General shall be appointed  
18 jointly by the Speaker of the House of Representatives,  
19 the Majority Leader of the Senate, and the Minority Lead-  
20 ers of the House of Representatives and Senate.”.

21 (2) TERM OF SERVICE.—Section 703(b) of such  
22 title is amended by striking “15 years” and insert-  
23 ing “10 years”.

24 (3) EFFECTIVE DATE.—The amendments made  
25 by this subsection shall apply with respect to ap-

1 pointments made, and to individuals first appointed,  
 2 on or after the date of the enactment of this Act.

3 (b) LIMIT ON TOTAL ANNUAL AMOUNT OF COM-  
 4 PENSATION.—

5 (1) LIMIT.—Section 703(f) of such title is  
 6 amended—

7 (A) by striking “(f) The annual rate” and  
 8 inserting “(f)(1) The annual rate”;

9 (B) by striking “(1)” and “(2)” and in-  
 10 sserting “(A)” and “(B)”;

11 (C) by adding at the end the following new  
 12 paragraph:

13 “(2) Notwithstanding any other provision of  
 14 law, the total amount of compensation paid to the  
 15 Comptroller General in any year, including salary  
 16 and any other payments (but excluding the value of  
 17 any retirement, health, or other benefits), may not  
 18 exceed the annual rate of pay for a Member of Con-  
 19 gress for the year.”.

20 (2) EFFECTIVE DATE.—The amendment made  
 21 by paragraph (1) shall apply with respect to com-  
 22 pensation paid for any period beginning on or after  
 23 the date of the enactment of this Act.

24 (c) EQUALIZATION OF RETIREMENT ANNUITY.—

1           (1) IN GENERAL.—Section 772 of title 31,  
2       United States Code, is repealed.

3           (2) CONFORMING AMENDMENTS.—Title 31,  
4       United States Code, is amended as follows:

5                 (A) In section 735(a), by striking “772,  
6       775(a) and (d)” and inserting “or 775(b)”.

7                 (B) In the second sentence of section  
8       773(a), by striking “or if an election is made”  
9       and all that follows and inserting a period.

10                (C) In section 774(b)(2), by striking “or  
11       while receiving an annuity under section 772 of  
12       this title”.

13                (D) In section 775—

14                         (i) by striking subsections (a) and (b)  
15       and redesignating subsections (c) through  
16       (f) as subsections (a) through (d);

17                         (ii) in subsection (a) (as so redesign-  
18       nated)—

19                                 (I) by striking “sections 772 and  
20       773” and inserting “section 773”,  
21       and

22                                 (II) by striking “subsection (d)”  
23       and inserting “subsection (b)”;

(iii) in subsection (c) (as so redesignated), by striking “subsection (c) or (d)” and inserting “subsection (a) or (b)”; and

(iv) in subsection (d) (as so redesignated)—

(I) by striking “sections 772 and 773” and inserting “section 773”, and

(II) by striking “subsection (d)” and inserting “subsection (b)”.

(E) In section 776(d)(1), by striking “section 775(d)” and inserting “section 775(b)”.

(F) In section 777(b), by striking the first sentence.

(3) CLERICAL AMENDMENT.—The table of sections for subchapter V of chapter 7 of subtitle I of title 31, United States Code, is amended by striking the item relating to section 772.

#### **SEC. 4. LIBRARIAN OF CONGRESS.**

(a) APPOINTMENT AND TERM OF SERVICE.—

(1) APPOINTMENT; RULES AND REGULATIONS.—The Librarian of Congress shall be appointed jointly by the Speaker of the House of Representatives, the Majority Leader of the Senate, and the Minority Leaders of the House of Representa-

1       tives and Senate. The Librarian shall make rules  
2       and regulations for the government of the Library of  
3       Congress.

4           (2) TERM OF SERVICE.—The Librarian of Con-  
5       gress shall be appointed for a term of 10 years, and  
6       may be reappointed for additional terms.

7           (3) CONFORMING AMENDMENT.—The first  
8       paragraph under the heading “Library of Congress”  
9       in the first section of the Act entitled “An Act mak-  
10      ing appropriations for the legislative, executive, and  
11      judicial expenses of the Government for fiscal year  
12      ending June thirtieth, eighteen hundred and ninety-  
13      eight, and for other purposes”, approved February  
14      19, 1897 (29 Stat. 546; 2 U.S.C. 136), is repealed.

15          (4) EFFECTIVE DATE.—This subsection and the  
16      amendments made by this subsection shall apply  
17      with respect to appointments made on or after the  
18      date of the enactment of this Act.

19          (b) LIMIT ON TOTAL ANNUAL AMOUNT OF COM-  
20      PENSATION.—

21           (1) LIMIT.—Section 904 of the Supplemental  
22      Appropriations Act, 1983 (2 U.S.C. 136a–2) is  
23      amended—

24                  (A) by striking “and” at the end of para-  
25                  graph (1);

1 (B) by striking the period at the end of  
2 paragraph (2) and inserting “; and”; and

3 (C) by adding at the end the following new  
4 paragraph:

5 “(3) the total amount of compensation paid to  
6 the Librarian of Congress in any year, including sal-  
7 ary and any other payments (but excluding the value  
8 of any retirement, health, or other benefits), may  
9 not exceed the annual rate of pay for a Member of  
10 Congress for the year.”.

11 (2) EFFECTIVE DATE.—The amendment made  
12 by paragraph (1) shall apply with respect to com-  
13 pensation paid for any period beginning on or after  
14 the date of the enactment of this Act.

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