

111TH CONGRESS
1ST SESSION

H. R. 1679

IN THE SENATE OF THE UNITED STATES

APRIL 23, 2009

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, 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 “House Reservists Pay
3 Adjustment Act of 2009”.

4 **SEC. 2. REPLACEMENT OF LOST INCOME FOR HOUSE EM-**
5 **EMPLOYEES ON ACTIVE DUTY UNDER INVOLUN-**
6 **TARY MOBILIZATION ORDER.**

7 (a) PAYMENT.—

8 (1) IN GENERAL.—For each active duty month
9 of an eligible employee of the House of Representa-
10 tives who is also a member of a reserve component
11 of the armed forces, the Chief Administrative Officer
12 of the House of Representatives shall pay to the em-
13 ployee the amount by which—

14 (A) the amount of regular compensation
15 the employee would have received from the
16 House of Representatives if the month had not
17 been an active duty month, exceeds (if at all)

18 (B) the total monthly military compensa-
19 tion paid to the employee for the month by the
20 Secretary of Defense.

21 (2) ELIGIBILITY.—An employee of the House of
22 Representatives is eligible for purposes of paragraph
23 (1) with respect to an active duty month if the em-
24 ployee was an employee of the House of Representa-
25 tives during each day of the 90-day period which

1 ends on the day on which the employee reports for
2 active duty under an involuntary mobilization order.

3 (b) DETERMINATION OF COMPENSATION EMPLOYEE
4 WOULD HAVE RECEIVED.—

5 (1) IN GENERAL.—For purposes of subsection
6 (a)(1), the amount of regular compensation an em-
7 ployee would have received from the House of Rep-
8 resentatives for a month shall be equal to the
9 amount of compensation the employee received from
10 the House of Representatives for the base month
11 (excluding any bonus or incentive payment made
12 during the month), increased (in a compound man-
13 ner) by any cost-of-living adjustments applicable to
14 the compensation of employees of the Office of the
15 Chief Administrative Officer for months occurring
16 after the base month.

17 (2) BASE MONTH DEFINED.—For purposes of
18 paragraph (1), the term “base month” means, with
19 respect to an employee, the most recent month for
20 which the employee received compensation from the
21 House of Representatives which precedes the active
22 duty month.

23 (c) SPECIAL RULES REGARDING AMOUNT OF PAY-
24 MENT.—

1 (1) REDUCTION FOR AMOUNTS PAID FROM
2 OTHER SOURCES AS REPLACEMENT OF LOST IN-
3 COME.—The Chief Administrative Officer shall re-
4 duce the amount of any payment made to any indi-
5 vidual under subsection (a) with respect to an active
6 duty month by the amount of any payment received
7 by the individual under section 910 of title 37,
8 United States Code, or any other source that is pro-
9 vided to replace income lost by the individual during
10 the month.

11 (2) MINIMUM AMOUNT REQUIRED FOR PAY-
12 MENT.—The Chief Administrative Officer shall not
13 make a payment otherwise required under this sec-
14 tion if the amount of the payment (as determined
15 under subsection (a), taking into account the reduc-
16 tion made under paragraph (1)) is not greater than
17 \$50.

18 (d) DEFINITIONS.—In this section—

19 (1) the term “active duty month” means, with
20 respect to an employee of the House of Representa-
21 tives who is also a member of a reserve component
22 of the armed forces, any month during which the
23 employee is not able to perform duties for the office
24 of the employee’s employing authority because the

1 employee is on active duty under an involuntary mo-
2 bilization order for a period of more than 30 days;

3 (2) the terms “armed forces”, “active duty for
4 a period of more than 30 days”, and “reserve com-
5 ponent” have the meaning given such terms in sec-
6 tion 101 of title 37, United States Code; and

7 (3) the term “total monthly military compensa-
8 tion” has the meaning given such term in section
9 910(e)(2) of title 37, United States Code.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated from the applicable ac-
12 counts of the House of Representatives such sums as may
13 be necessary for payments under this section.

14 (f) EFFECTIVE DATE.—This section shall apply with
15 respect to active duty months beginning on or after the
16 date of the enactment of this Act.

17 **SEC. 3. ENSURING CONSISTENCY WITH CODE OF OFFICIAL**
18 **CONDUCT.**

19 Clause 8 of rule XXIII of the Rules of the House
20 of Representatives is amended by adding at the end the
21 following new paragraph:

22 “(d) Nothing in this clause may be construed to pro-
23 hibit the disbursement or receipt of any payment author-
24 ized under section 2 of the House Reservists Pay Adjust-
25 ment Act of 2009.”.

1 **SEC. 4. CLARIFICATION OF ELIGIBILITY OF SURVIVORS**
2 **FOR HOUSE GRATUITY.**

3 The last undesignated paragraph under the center
4 heading “House of Representatives” and the center sub-
5 heading “Contingent Expenses of the House” in the first
6 section of the Legislative Branch Appropriation Act, 1955
7 (2 U.S.C. 125), is amended by adding at the end the fol-
8 lowing: “Nothing in this paragraph may be construed to
9 prohibit the Chief Administrative Officer from paying a
10 gratuity to the widow, widower, or heirs-at-law of an em-
11 ployee of the House who dies during an active duty month
12 (as defined in section 2(d) of the House Reservists Pay
13 Adjustment Act of 2009).”.

Passed the House of Representatives April 22, 2009.

Attest: LORRAINE C. MILLER,
Clerk.