

Public Law 96-241
96th Congress

An Act

To ensure that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect January 1, 1977.

May 3, 1980

[S. 2637]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 1977, notwithstanding any increase in such compensation or emoluments under (1) the Federal Salary Act of 1967 (Public Law 90-206; 81 Stat. 642) or the Executive Salary Cost-of-Living Adjustment Act (Public Law 94-82; 89 Stat. 419) taking effect during the period beginning at noon of January 3, 1977, and ending at noon of January 3, 1983, or (2) any other provision of law, or provision which has the force and effect of law, if such increase becomes effective during that period.

Office of
Secretary of
State,
compensation
and other
emoluments.
5 USC 5312 note.
5 USC 5332 note.
5 USC 5312 note.

(b) Subsection (a) of this section shall be effective during the period beginning on the enactment of this Act and ending the earlier of noon of January 3, 1983, or the date on which the first individual appointed to the office of Secretary of State after the enactment of this Act ceases to hold that office.

Effective date.

SEC. 2. (a) Any person aggrieved by an action of the Secretary of State may bring a civil action in an appropriate United States district court to contest 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. The United States district courts shall have exclusive jurisdiction, without regard to the sum or value of the matter in controversy, to determine the validity of such appointment and continuance in office.

Civil action.
22 USC 2651
note.

(b) Any action brought under this section shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. Any review of the action of a court convened pursuant to such section shall be by petition of certiorari to the Supreme Court.

Jurisdiction.

(c) Any judge designated to hear any action brought under this section shall cause such action to be in every way expedited.

Hearing.

(d) This section applies only with respect to the Secretary of State who is first appointed to that office after the enactment of this Act.

Approved May 3, 1980.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORD, Vol. 126 (1980):

May 1, considered and passed Senate and House.