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SUBCHAPTER I—GENERAL

PART A—AMOUNT AND TYPE

§ 4501. Compensation of Members of Congress

(1) The annual rate of pay for—

(A) each Senator, Member of the House of Representatives, and Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico,

(B) the President pro tempore of the Senate, the majority leader and the minority leader of the Senate, and the majority leader and the minority leader of the House of Representatives, and

(C) the Speaker of the House of Representatives,

shall be the rate determined for such positions under chapter 11 of this title, as adjusted by paragraph (2) of this section.

(2)(A) Subject to subparagraph (B), effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5 in the rates of pay under the General Schedule, each annual rate referred to in paragraph (1) shall be adjusted by an amount, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the next higher multiple of \$100), equal to the percentage of such annual rate which corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.

(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.

(Aug. 2, 1946, ch. 753, title VI, §601(a), 60 Stat. 850; Jan. 19, 1949, ch. 2, §1(d), 63 Stat. 4; Mar. 2, 1955, ch. 9, §4(a), 69 Stat. 11; Pub. L. 88-426, title II, §204, Aug. 14, 1964, 78 Stat. 415; Pub. L. 89-301, §11(e), Oct. 29, 1965, 79 Stat. 1120; Pub. L. 91-67, §2, Sept. 15, 1969, 83 Stat. 107; Pub. L. 94-82, title II, §204(a), Aug. 9, 1975, 89 Stat. 421; Pub. L. 101-194, title VII, §704(a)(2)(B), Nov. 30, 1989, 103 Stat. 1769; Pub. L. 101-509, title V, §529 [title I, §101(b)(4)(D)], Nov. 5, 1990, 104 Stat. 1427, 1439; Pub. L. 103-356, title I, §101(1), Oct. 13, 1994, 108 Stat. 3410.)

Editorial Notes

REFERENCES IN TEXT

The General Schedule, referred to in par. (2), is set out under section 5332 of Title 5, Government Organization and Employees.

Section 704(a)(1) of the Ethics Reform Act of 1989, referred to in par. (2)(A), is section 704(a)(1) of Pub. L. 101-194, which is set out as a note under section 5318 of Title 5.

CODIFICATION

Section was formerly classified to section 31 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1994—Par. (2). Pub. L. 103-356 designated existing provisions as subpar. (A), substituted “Subject to subparagraph (B), effective” for “Effective”, and added subpar. (B).

1990—Par. (2). Pub. L. 101-509 substituted “5303” for “5305”.

1989—Par. (2). Pub. L. 101-194 substituted “the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect” for “the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule”.

1975—Pub. L. 94-82 designated existing provisions as par. (1), substituted provisions that rate of pay of the specified parties shall be determined under section 351 et seq. of this title, as adjusted by par. (2) for provisions setting rate of compensation at \$42,500 for Senators, Representatives, Delegates, and Resident Commissioner, \$62,500 for Speaker, and \$49,500 for President pro tempore of Senate and Majority and Minority Leaders of House and Senate, and added par. (2).

1969—Pub. L. 91-67 increased compensation of Speaker from \$43,000 to \$62,500 per annum and compensation of Majority and Minority Leaders of both Houses of Congress from \$35,000 to \$49,500 per annum, and fixed compensation of President pro tempore of Senate at \$49,500 per annum.

1965—Pub. L. 89-301 inserted provisions setting rate of compensation of Majority and Minority Leaders of Senate and House of Representatives at \$35,000 per annum each.

1964—Pub. L. 88-426 increased compensation of Senators, Representatives and Resident Commissioner from \$22,500 to \$30,000 per annum and that of Speaker from \$35,000 to \$43,000 per annum, and eliminated provisions which related to Delegates from the Territories.

1955—Act Mar. 2, 1955, increased salaries of Senators, Representatives, Delegates, and Resident Commissioner from \$12,500 a year to \$22,500 and compensation of Speaker from \$30,000 to \$35,000 a year.

1949—Act Jan. 19, 1949, increased Speaker's salary from \$20,000 per year to \$30,000.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-356, title I, §101, Oct. 13, 1994, 108 Stat. 3410, provided that the amendment made by that section is effective Dec. 31, 1994.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-194 effective Jan. 1, 1991, see section 704(b) of Pub. L. 101-194, set out as a note under section 5318 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1969 AMENDMENT

Amendment by Pub. L. 91-67 effective Mar. 1, 1969, see section 3 of Pub. L. 91-67, set out as a note under section 104 of Title 3, The President.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-301 effective on first day of first pay period which begins on or after October 1, 1965, see section 17 of Pub. L. 89-301.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective at noon, Jan. 3, 1965, see section 501(b) of Pub. L. 88-426.

EFFECTIVE DATE OF 1955 AMENDMENT

Act Mar. 2, 1955, ch. 9, §5, 69 Stat. 11, provided that: “The provisions of this Act [amending this section, section 104 of Title 3, The President, section 7443 of Title 26, Internal Revenue Code, sections 5, 44, 135, 173, 213, 252, and 508 of Title 28, Judiciary and Judicial Procedure, section 101 of Title 48, Territories and Insular Possessions, and section 654 of Title 50, War and National Defense, and repealing section 31a of this title] shall take effect Mar. 1, 1955.”

EFFECTIVE DATE OF 1949 AMENDMENT

Amendment by act Jan. 19, 1949, effective at noon, Jan. 20, 1949, see section 3 of act Jan. 19, 1949.

EFFECTIVE DATE

Act Aug. 2, 1946, ch. 753, title VI, §601(a), 60 Stat. 850, provided that the salary rates provided by such section 601(a) are effective Jan. 3, 1947.

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117-10, §1, Apr. 23, 2021, 135 Stat. 259, provided that: “This Act [amending section 4576 of this title and enacting provisions set out as a note under section 4576 of this title] may be cited as the ‘Senate Shared Employee Act’.”

SHORT TITLE OF 2013 AMENDMENT

Pub. L. 113-3, §1, Feb. 4, 2013, 127 Stat. 51, provided that: “This Act [see Tables for classification] may be cited as the ‘No Budget, No Pay Act of 2013’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-186, §1(a), Aug. 20, 1996, 110 Stat. 1718, provided that: “This Act [see Tables for classification] may be cited as the ‘House of Representatives Administrative Reform Technical Corrections Act’.”

SHORT TITLE OF 1964 AMENDMENT

Pub. L. 88-426, title II, §201, Aug. 14, 1964, 78 Stat. 413, provided that: “This title [see Tables for classification] may be cited as the ‘Federal Legislative Salary Act of 1964’.”

HOLDING SALARIES OF MEMBERS OF CONGRESS IN ESCROW UPON FAILURE TO AGREE TO BUDGET RESOLUTION

Pub. L. 113-3, §3, Feb. 4, 2013, 127 Stat. 51, provided that:

“(a) HOLDING SALARIES IN ESCROW.—

“(1) IN GENERAL.—If by April 15, 2013, a House of Congress has not agreed to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974 [2 U.S.C. 632], during the period described in paragraph (2) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

“(2) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this paragraph is the period which begins on April 16, 2013, and ends on the earlier of—

“(A) the day on which the House of Congress agrees to a concurrent resolution on the budget for

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. 118-47, § 7, Mar. 23, 2024, 138 Stat. 461, 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 2024.”

Similar provisions were contained in the following prior acts:

- Pub. L. 117-328, § 6, Dec. 29, 2022, 136 Stat. 4462.
- 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.