

**TITLE 2 - THE CONGRESS****CHAPTER 3 - COMPENSATION AND ALLOWANCES OF MEMBERS****§ 31. 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.)

**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.

**Prior Provisions**

A prior section 31, acts Feb. 26, 1907, ch. 1635, § 4, 34 Stat. 993; Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301; May 17, 1932, ch. 190, 47 Stat. 158, related to compensation of Members of Congress, prior to enactment of act Aug. 2, 1946.

**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

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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.

### **Effective Date of 1994 Amendment**

Section 101 of Pub. L. 103–356 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**

Section 5 of act Mar. 2, 1955, 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**

Section 601(a) of act Aug. 2, 1946, provided that the salary rates provided by such section 601 (a) are effective Jan. 3, 1947.

**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**

Section 201 of title II of Pub. L. 88–426 provided that: “This title [enacting sections 61a, 61a–2, 61d, 61e, 60e–11, 84–2, 136a, 136b, and 273 of this title, sections 42a and 51a of former Title 31, Money and Finance, sections 162a, 166b, and 166b–1 of former Title 40, Public Buildings, Property, and Works, and section 39a of former Title 44, Public Printing and Documents, amending this section and section 72a of this title, and enacting provisions set out as notes under this section and sections 60a–1 and 60f of this title] may be cited as the ‘Federal Legislative Salary Act of 1964’.”

**Cost of Living Adjustment**

Pub. L. 111–8, div. J, § 103, Mar. 11, 2009, 123 Stat. 988, provided that: “Notwithstanding any provision of section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31 (2)), the percentage adjustment scheduled to take effect under any such provision in calendar year 2010 shall not take effect.”

Pub. L. 109–289, div. B, title I, § 115, as added by Pub. L. 110–5, § 2, Feb. 15, 2007, 121 Stat. 12, provided that: “Notwithstanding any other provision of this division [see Tables for classification] and notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31[(2)]), the percentage adjustment scheduled to take effect under such section for 2007 shall not take effect.”

Pub. L. 103–6, § 7, Mar. 4, 1993, 107 Stat. 35, provided that:

“(a) Cost of Living Adjustment.—Notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31 (2)), the cost of living adjustment (relating to pay for Members of Congress) which would become effective under such provision of law during calendar year 1994 shall not take effect.

“(b) Severability.—If any provision of this Act [enacting provisions set out as notes under sections 1 and 3304 of Title 26, Internal Revenue Code, and section 352 of Title 45, Railroads, and amending provisions set out as notes under section 3304 of Title 26 and section 352 of Title 45], or an amendment made by this Act, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this Act, or an amendment made by this Act, or the application of such provision to other persons or circumstances, shall not be affected.”

**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.

**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**

Pub. L. 97–51, § 130(c), Oct. 1, 1981, 95 Stat. 966, provided that: “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.”

**Commission on Judicial and Congressional Salaries**

Act Aug. 7, 1953, ch. 353, 67 Stat. 485, which established a Commission to determine appropriate rates of salaries for justices and judges of courts of United States and for Vice President, Speaker of House of Representatives, and Members of Congress, was repealed by Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 657.

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## **Salary Increases**

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.

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.