



**Legislative Bulletin.....January 7th, 2009**

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**S.J.Res.3**—Ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

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**S.J.Res.3**—Ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005. (*Reid D-NV*)

**Order of Business:** The bill is scheduled to be considered on Wednesday, January 7th, under a motion to suspend the rules and pass the bill.

**Summary:** The legislation sets the salary for the Secretary of the Interior at the level in effect on January 1, 2005 (\$181,100).

**Additional Background:** With the imminent appointment of Senator Ken Salazar (D-CO) to the position of the Secretary of the Interior, legislation is needed to avoid any violations of the emoluments clause of the Constitution. Specifically, it is unconstitutional to appoint elected officials to government positions when they have voted on the salary for the position during their most recent term in office. Reverting the salary back to the level that existed prior to 2005, is an attempt to rectify this violation of the emoluments clause. Similar legislation was passed in the end of the 110<sup>th</sup> Congress to address the imminent appointment of Senator Clinton as Secretary of State.

**Committee Action:** None

**Administration Position:** None

**Cost to Taxpayers:** None

**Does the Bill Expand the Size and Scope of the Federal Government?:** No

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No

**Constitutional Authority:** While no House or Senate Report was provided, the legislation sites article I, section 6, Clause 2, of the Constitution to address a violation of the emoluments clause, which prevents elected officials from voting set cabinet salaries during their most recent term in office.

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