

**COMMITTEE ON HOUSE ADMINISTRATION**

**117th CONGRESS**

**A RESOLUTION**

**COMMITTEE RESOLUTION 117-17**

**A Resolution to Establish Timetables and Procedures for the  
Deduction of Net Salary for the Payment of Fines for Violations  
Under House Resolution 73**

*Be it resolved*, that the Committee on House Administration, pursuant to House Resolution 73 subsection 1(c), 117th Congress, hereby issues the following regulations establishing a timetable and procedures for the Chief Administrative Officer to deduct the amount of a fine imposed under House Resolution 73 from the net salary of an individual who is a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) (hereinafter "Member").

**SECTION 1. NOTICE OF THE IMPOSITION OF CERTAIN FINES AGAINST A MEMBER.**

- a) If a Member who is required to pay a fine under House Resolution 73 has not fully paid the amount of the fine prior to the expiration of 90 calendar days from the date of notification from the chair of the Committee on Ethics, the Chief Administrative Officer shall notify the Member, the Speaker, the Sergeant-at-Arms, the Committee on Ethics, and the Committee on House Administration that payment of the fine is not complete and the dollar amount that remains unpaid according to the records of the Chief Administrative Officer.
- b) Any full or partial payment by a Member in satisfaction of a fine imposed under House Resolution 73 before the commencement of salary deduction should be submitted by the Member through the Chief Administrative Officer. If a Member submits a full or partial fine payment through the Committee on Ethics or the Sergeant-at-Arms, the House office receiving such payment shall immediately notify the Chief Administrative Officer.
- c) Any notice to be made to the Committee on Ethics or the Committee on House Administration under House Resolution 73 or these regulations shall be in writing and addressed to the Chair and Ranking Member of the Committee.
- d) Any notice to the Member shall be in writing and addressed to the Member.

## **SEC. 2. DEDUCTING AMOUNTS FROM COMPENSATION.**

- a) In the event that a Member has not paid the entire fine imposed under House Resolution 73 prior to the expiration of the 90 calendar days period which begins on the date of the notice provided by the chair of the Committee on Ethics, the Chief Administrative Officer shall take steps to deduct from the Member's net salary such amounts as may be necessary to fully discharge the amount of the remaining unpaid fine beginning in the pay period after the expiration of the 90 calendar day period.
- b) In deducting any amounts under House Resolution 73 and these regulations, the Chief Administrative Officer is authorized and directed to deduct in one pay period an amount equal to the amount of all outstanding fines for which the 90 calendar day period has passed divided by the number of remaining pay periods in the Congress, including the first pay period in which deduction from the Member's pay is permitted.
- c) Any amounts deducted by the Chief Administrative Officer shall be deducted from a Member's monthly net salary that is available after required deductions under title 5, United States Code; payment of federal, state, and/or local taxes; Thrift Savings Plan contributions under section 8432(f) of title 5, United States Code; and any court-ordered collections, such as for child support and alimony; and not to exceed the outstanding fine amount due under House Resolution 73. For purposes of these regulations, any required deductions under title 5, United States Code, include amounts deducted for defined benefit retirement plans (CSRS/FERS), basic health insurance premiums, and basic life insurance premiums, but does not include amounts deducted for optional benefits, including but not limited to healthcare flexible spending accounts, dental, vision, health savings accounts, optional life insurance premiums, long-term care insurance premiums, or dependent-care flexible spending accounts.
- d) The Chief Administrative Officer shall notify the Member of any amount to be deducted under these regulations in advance, consistent with the current Chief Administrative Officer practice for court-ordered garnishments.
- e) A Member who is subject to salary deduction under House Resolution 73 and these regulations may elect to have more of their wages deducted and paid to the account in furtherance of their remaining unpaid balance of such fine under House Resolution 73. Such election must be made in writing to the Chief Administrative Officer and by such time as the Chief Administrative Officer may require to take effect in a particular pay period.
- f) A direct payment made by a Member to the Chief Administrative Officer in satisfaction of a fine under House Resolution 73 that occurs after the payroll processing date in a given month may result in the Chief Administrative Officer deducting an amount in excess of the remaining amount owed. In such an event, the Chief Administrative Officer shall take immediate steps to return to the Member any amounts deducted in excess of the total fine amount outstanding.
- g) In the event that a Member who is required to make a payment for a fine under House Resolution 73 and subject to deduction under House Resolution 73 and these regulations, departs the House before the Member has fully reimbursed the amount required, the Chief Administrative Officer shall notify the Speaker, the Sergeant-at-Arms, the Committee on Ethics, and the Committee on House Administration in writing.

- h) The Chief Administrative Officer shall adopt a new deduction code for any salary deductions under the provisions of clause 3(g) of House Rule II, House Resolution 38, or House Resolution 73 and these regulations.
- i) The Chief Administrative Officer shall adopt a policy and procedures to implement the requirements of House Resolution 73 and these regulations. Such policy may also collectively address other net salary deduction authorities, including clause 3(g) of House Rule II and House Resolution 38.
- j) As necessary, the Chief Administrative Officer shall coordinate with the Speaker, the Sergeant-at-Arms, the Committee on Ethics, and the Committee on House Administration to ensure compliance with House Resolution 73 and these regulations.

## Special Policies and Procedures Relating to Fine Notifications and Appeals

*Adopted by the Committee on Ethics – March 9, 2021*

1. Upon receipt of a fine notification under House Rule II or H. Res. 73, the Committee will send a letter to the Sergeant at Arms, U.S. Capitol Police, and/or Chief Administrative Officer requesting that they preserve all records of any reviews, determinations, or decisions regarding the alleged violation(s) and any additional information, including video recordings of the alleged violation(s). Also, the Committee will send a letter to the Member notifying them of their right to appeal, the deadline by which to file an appeal, the Committee's special policies and procedures, and noting that an appeal to the Committee shall include a response to the findings issued by the Sergeant at Arms, and may include the basis for the appeal, a description of the occurrence precipitating the fine, any exculpatory information, any request to appear before the Committee, and any additional information that the appellant believes will assist the Committee in considering the appeal. In addition, for receipt of any fine notification under H. Res. 73, the Committee shall notify the Member of the Committee's obligation to publish the fine notification.
2. For a fine notification received under H. Res. 73, the Chair and Ranking Member will make the notification public within two business days of receipt. The Committee will provide the subject of the fine with notice of publication one business day prior to release.
3. The Chair and Ranking Member may make redactions to the public fine notification received under H. Res. 73 as they deem necessary to protect certain personally identifiable information or other sensitive details.
4. In appealing a fine to the Committee, the appellant may be represented by counsel at their own expense.
5. Upon receipt of an appeal of a fine, the Committee will send a letter confirming its receipt of the appeal and notifying the appellant that it will consider the appeal within 30 calendar days. Also, upon receipt of an appeal, the Committee will send a letter to the Sergeant at Arms, U.S. Capitol Police, and/or Chief Administrative Officer requesting that they provide the Committee with a copy of all records of any reviews, determinations, or decisions regarding the alleged violation(s) and any additional information, including video recordings of the alleged violation(s).
6. If the written appeal does not provide sufficient information to fully assess an appeal, the Chair and Ranking Member may jointly authorize staff to request additional information from the appellant.
7. If an appellant asserts there are factual errors with the findings and any supporting documentation, the Chair and Ranking Member will request a response from the Sergeant at Arms and the U.S. Capitol Police. The Chair and Ranking Member may also jointly seek additional information from other sources.
8. The Chair or Ranking Member, consistent with Committee Rule 5(b), may place consideration of an appeal on the agenda at any time. If no meeting of the Committee is scheduled to occur within 30 days of receipt of an appeal, the Chair will make reasonable efforts to convene a meeting during that time period.

9. Members of the Committee will be provided any information needed for consideration of the appeal not later than three days prior to any meeting in which the appeal will be considered, whenever possible.
10. The Committee may agree to an appeal if it determines the fine is (a) arbitrary and capricious, an abuse of discretion, or otherwise not consistent with law or with principles of fairness; (b) not made consistent with required procedures; or (c) unsupported by substantial evidence.
11. The Chair and Ranking Member will notify the Speaker, the Sergeant at Arms, Chief Administrative Officer, and the public of the determination regarding a fine appeal (or that no appeal has been filed) two business days after such determination (or the expiration of the appeal period), and will also publish the written appeal if the appellant so chooses. The Committee will provide the subject of the fine with notice of publication one business day prior to release.