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January 30, 2008

**MEMORANDUM FOR ALL MEMBERS, OFFICERS, AND EMPLOYEES**

**FROM:** Committee on Standards of Official Conduct  
Stephanie Tubbs Jones, Chairwoman  
Doc Hastings, Ranking Republican Member

**SUBJECT:** The 2008 Outside Earned Income Limit and Salaries Triggering Financial Disclosure Requirement and Post-Employment Restrictions

**THE OUTSIDE EARNED INCOME LIMIT AND OUTSIDE EMPLOYMENT RESTRICTIONS**

By statute and House rule, the amount of outside earned income that Members and "senior staff" (as defined below) may have in any calendar year is limited. 5 U.S.C. app. 4 § 501(a)(1); House Rule 25, cl. 1(a)(1). In addition to House Members, the limit applies to House officers and employees who are paid at a rate equal to or greater than 120% of the minimum pay for GS-15 of the general schedule for more than 90 days in a calendar year. The GS-15, step 1 rate of basic pay is now \$95,390 (locality pay is not considered in making this determination). Accordingly, the outside earned income limit applies to House officers and employees paid at or above the rate of **\$114,468** for more than **90 days** in 2008.

The amount of the outside earned income limit for any year is 15% of the rate of pay for Level II of the Executive Schedule in effect on January 1 of the year. The rate of pay for Executive Level II in 2008 is \$172,200. Accordingly, the outside earned income limit for Members and senior staff for calendar year 2008 is **\$25,830**.

Under clauses 1-4 of House Rule 25 and related provisions of statutory law, Members, as well as officers and employees paid at or above the "senior staff" threshold rate, are also subject to a number of specific limitations on the types of outside employment. Information on these limitations is provided on pages 101 to 111 of the *House Ethics Manual* and in a Committee advisory memorandum of February 23, 1998, both of which are available on the Standards Committee Web site ([www.house.gov/ethics](http://www.house.gov/ethics)). The Committee's Office of Advice and Education (extension 5-7103) can provide further explanation.

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## FINANCIAL DISCLOSURE

The requirement to file a Financial Disclosure Statement applies both to Members and to House officers and employees who are paid at a rate equal to or greater than 120% of the minimum pay for GS-15 for at least 60 days at any time during a calendar year. 5 U.S.C. app. 4 § 109(13). As noted above, 120% of GS-15 is now **\$114,468**, and thus House officers and employees who are paid at or above that rate of pay for at least **60 days** during **2008** must file a Financial Disclosure Statement in 2009.

Please note that the requirement to file a Financial Disclosure Statement covering calendar year 2007 applies to officers and employees who were paid at an annual rate of **\$111,675** for at least 60 days in **2007**. The annual Financial Disclosure Statements for 2007 are due on Thursday, May 15, 2008 for those individuals who continue to be officers or employees of the House on that date.

## POST-EMPLOYMENT RESTRICTIONS

Members and officers of the House, as well as certain House employees, are subject to post-employment restrictions on lobbying. 18 U.S.C. § 207. A former employee of a Member, committee, or leadership office is subject to the restrictions if, for at least **60 days** during the one-year period preceding termination of House employment, the employee was paid at a rate equal to or greater than 75% of the basic rate of pay for Members at the time of termination.

The basic rate of pay for Members in 2008 is \$169,300. Therefore, the post-employment threshold for employees who depart from a job in a Member, committee, or leadership office during 2008 is **\$126,975**. The triggering salary for employees of other House or legislative branch offices (such as the CBO, GAO, and Library of Congress) is level IV of the Executive Schedule, which for 2008 is \$149,000. Information on the post-employment restrictions applicable to Members and staff is available in a pair of Standards Committee advisory memoranda, copies of which are available on the Committee website.

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### CALENDAR YEAR 2008

<b>OUTSIDE EARNED INCOME CAP .....</b>	<b>\$ 25,830</b>
<b>OUTSIDE EARNED INCOME AND OUTSIDE EMPLOYMENT THRESHOLD .....</b>	<b>\$114,468</b>
<b>FINANCIAL DISCLOSURE THRESHOLD .....</b>	<b>\$114,468</b>
<b>POST-EMPLOYMENT THRESHOLD .....</b>	<b>\$126,975</b>