

115TH CONGRESS
1ST SESSION

H. R. 2153

To hold the salaries of Members of a House of Congress in escrow if the House of Congress does not agree to a budget resolution or pass regular appropriation bills on a timely basis during a Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2017

Mr. ROTHFUS (for himself, Ms. SINEMA, Mr. COOPER, and Mr. LOEBSACK) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To hold the salaries of Members of a House of Congress in escrow if the House of Congress does not agree to a budget resolution or pass regular appropriation bills on a timely basis during a Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Pay for
5 Performance Act of 2017”.

1 **SEC. 2. HOLDING SALARIES OF MEMBERS OF CONGRESS IN**
2 **ESCROW UPON FAILURE TO AGREE TO BUDG-**
3 **ET RESOLUTION.**

4 (a) **HOLDING SALARIES IN ESCROW.**—If by May 15
5 of any calendar year (beginning with 2017), a House of
6 Congress has not agreed to a concurrent resolution on the
7 budget pursuant to section 301 of the Congressional
8 Budget Act of 1974 for the fiscal year which begins on
9 October 1 of that calendar year, during the period de-
10 scribed in subsection (b) the payroll administrator of that
11 House of Congress shall deposit in an escrow account all
12 payments otherwise required to be made during such pe-
13 riod for the compensation of Members of Congress who
14 serve in that House of Congress, and shall release such
15 payments to such Members only upon the expiration of
16 such period.

17 (b) **PERIOD DESCRIBED.**—With respect to a House
18 of Congress and a calendar year, the period described in
19 this paragraph is the period which begins on May 16 of
20 the calendar year and ends on the earlier of—

21 (1) the day on which the House of Congress
22 agrees to a concurrent resolution on the budget for
23 the fiscal year which begins on October 1 of that
24 calendar year; or

25 (2) the last day of the Congress during which
26 that calendar year occurs.

1 **SEC. 3. HOLDING SALARIES OF MEMBERS OF CONGRESS IN**
2 **ESCROW UPON FAILURE TO PASS REGULAR**
3 **APPROPRIATION BILLS.**

4 (a) **HOLDING SALARIES IN ESCROW.**—If by July 31
5 of any calendar year (beginning with 2017), a House of
6 Congress has not passed each of the regular appropriation
7 bills for the fiscal year which begins on October 1 of that
8 calendar year, during the period described in subsection
9 (b) the payroll administrator of that House of Congress
10 shall deposit in an escrow account all payments otherwise
11 required to be made during such period for the compensa-
12 tion of Members of Congress who serve in that House of
13 Congress, and shall release such payments to such Mem-
14 bers only upon the expiration of such period.

15 (b) **PERIOD DESCRIBED.**—With respect to a House
16 of Congress and a calendar year, the period described in
17 this paragraph is the period which begins on August 1
18 of the calendar year and ends on the earlier of—

19 (1) the first day by which the House of Con-
20 gress has passed each of the regular appropriation
21 bills for the fiscal year which begins on October 1
22 of that calendar year; or

23 (2) the last day of the Congress during which
24 that calendar year occurs.

25 (c) **REGULAR APPROPRIATION BILL DEFINED.**—The
26 term “regular appropriation bill” means any annual ap-

1 appropriation bill which, with respect to the Congress in-
2 volved, is under the jurisdiction of a single subcommittee
3 of the Committee on Appropriations of the House of Rep-
4 resentatives (pursuant to the Rules of the House of Rep-
5 resentatives for that Congress) and a single subcommittee
6 of the Committee on Appropriations of the Senate (pursu-
7 ant to the Standing Rules of the Senate).

8 **SEC. 4. ADMINISTRATION OF ESCROW.**

9 (a) WITHHOLDING AND REMITTANCE OF AMOUNTS
10 FROM PAYMENTS HELD IN ESCROW.—The payroll admin-
11 istrator shall provide for the same withholding and remit-
12 tance with respect to a payment deposited in an escrow
13 account under section 2 or section 3 that would apply to
14 the payment if the payment were not subject to such sec-
15 tion.

16 (b) ROLE OF SECRETARY OF THE TREASURY.—The
17 Secretary of the Treasury shall provide the payroll admin-
18 istrators of the Houses of Congress with such assistance
19 as may be necessary to enable the payroll administrators
20 to carry out this Act.

21 **SEC. 5. RELEASE OF AMOUNTS AT END OF A CONGRESS.**

22 In order to ensure that this Act is carried out in a
23 manner consistent with the twenty-seventh article of
24 amendment to the Constitution of the United States, the
25 payroll administrator of a House of Congress shall release

1 for payments to Members of that House of Congress any
2 amounts remaining in any escrow account under this Act
3 on the last day of the Congress during which the amounts
4 were deposited in such account.

5 **SEC. 6. DEFINITIONS.**

6 In this Act—

7 (1) the term “Member” includes a Delegate or
8 Resident Commissioner to the Congress; and

9 (2) the “payroll administrator” of a House of
10 Congress means—

11 (A) in the case of the House of Represent-
12 atives, the Chief Administrative Officer of the
13 House of Representatives, or an employee of
14 the Office of the Chief Administrative Officer
15 who is designated by the Chief Administrative
16 Officer to carry out this Act; and

17 (B) in the case of the Senate, the Sec-
18 retary of the Senate, or an employee of the Of-
19 fice of the Secretary of the Senate who is des-
20 ignated by the Secretary to carry out this Act.

○