

116TH CONGRESS  
1ST SESSION

# S. 39

To provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2019

Mr. BRAUN (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

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 “No Budget, No Pay  
5 Act”.

6 **SEC. 2. DEFINITION.**

7 In this Act, the term “Member of Congress”—

1           (1) has the meaning given under section 2106  
2           of title 5, United States Code; and

3           (2) does not include the Vice President.

4 **SEC. 3. TIMELY APPROVAL OF CONCURRENT RESOLUTION**  
5                           **ON THE BUDGET AND THE APPROPRIATIONS**  
6                           **BILLS.**

7           If both Houses of Congress have not approved a con-  
8           current resolution on the budget as described under sec-  
9           tion 301 of the Congressional Budget and Impoundment  
10          Control Act of 1974 (2 U.S.C. 632) for a fiscal year before  
11          October 1 of that fiscal year and have not passed all the  
12          regular appropriations bills for the next fiscal year before  
13          October 1 of that fiscal year, the pay of each Member of  
14          Congress may not be paid for each day following that Oc-  
15          tober 1 until the date on which both Houses of Congress  
16          approve a concurrent resolution on the budget for that fis-  
17          cal year and all the regular appropriations bills.

18 **SEC. 4. NO PAY WITHOUT CONCURRENT RESOLUTION ON**  
19                           **THE BUDGET AND THE APPROPRIATIONS**  
20                           **BILLS.**

21          (a) IN GENERAL.—Notwithstanding any other provi-  
22          sion of law, no funds may be appropriated or otherwise  
23          be made available from the United States Treasury for  
24          the pay of any Member of Congress during any period de-  
25          termined by the Chairpersons of the Committee on the

1 Budget and the Committee on Appropriations of the Sen-  
2 ate or the Chairpersons of the Committee on the Budget  
3 and the Committee on Appropriations of the House of  
4 Representatives under section 5.

5 (b) NO RETROACTIVE PAY.—A Member of Congress  
6 may not receive pay for any period determined by the  
7 Chairpersons of the Committee on the Budget and the  
8 Committee on Appropriations of the Senate or the Chair-  
9 persons of the Committee on the Budget and the Com-  
10 mittee on Appropriations of the House of Representatives  
11 under section 5, at any time after the end of that period.

12 **SEC. 5. DETERMINATIONS.**

13 (a) SENATE.—

14 (1) REQUEST FOR CERTIFICATIONS.—On Octo-  
15 ber 1 of each year, the Secretary of the Senate shall  
16 submit a request to the Chairpersons of the Com-  
17 mittee on the Budget and the Committee on Appro-  
18 priations of the Senate for certification of deter-  
19 minations made under subparagraphs (A) and (B)  
20 of paragraph (2).

21 (2) DETERMINATIONS.—The Chairpersons of  
22 the Committee on the Budget and the Committee on  
23 Appropriations of the Senate shall—

24 (A) on October 1 of each year, make a de-  
25 termination of whether Congress is in compli-

1           ance with section 3 and whether Senators may  
2           not be paid under that section;

3                   (B) determine the period of days following  
4           each October 1 that Senators may not be paid  
5           under section 3; and

6                   (C) provide timely certification of the de-  
7           terminations under subparagraphs (A) and (B)  
8           upon the request of the Secretary of the Senate.

9           (b) HOUSE OF REPRESENTATIVES.—

10                   (1) REQUEST FOR CERTIFICATIONS.—On Octo-  
11           ber 1 of each year, the Chief Administrative Officer  
12           of the House of Representatives shall submit a re-  
13           quest to the Chairpersons of the Committee on the  
14           Budget and the Committee on Appropriations of the  
15           House of Representatives for certification of deter-  
16           minations made under subparagraphs (A) and (B)  
17           of paragraph (2).

18                   (2) DETERMINATIONS.—The Chairpersons of  
19           the Committee on the Budget and the Committee on  
20           Appropriations of the House of Representatives  
21           shall—

22                           (A) on October 1 of each year, make a de-  
23           termination of whether Congress is in compli-  
24           ance with section 3 and whether Members of

1 the House of Representatives may not be paid  
2 under that section;

3 (B) determine the period of days following  
4 each October 1 that Members of the House of  
5 Representatives may not be paid under section  
6 3; and

7 (C) provide timely certification of the de-  
8 terminations under subparagraphs (A) and (B)  
9 upon the request of the Chief Administrative  
10 Officer of the House of Representatives.

11 **SEC. 6. EFFECTIVE DATE.**

12 This Act shall take effect on February 1, 2021.

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