

118TH CONGRESS  
1ST SESSION

# H. R. 5772

To impose a fine on Members of Congress in the event of a Government shutdown, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2023

Mr. NUNN of Iowa (for himself, Ms. PEREZ, Mr. PAPPAS, and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Accountability, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To impose a fine on Members of Congress in the event of a Government shutdown, 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 “No Work, No Pay  
5 Act”.

1 **SEC. 2. IMPOSITION OF FINE ON MEMBERS OF CONGRESS**  
2 **IN EVENT OF GOVERNMENT SHUTDOWN.**

3 (a) IMPOSITION.—If on any day during a year a Gov-  
4 ernment shutdown is in effect, the enforcement authority  
5 of that House of Congress shall impose a fine against each  
6 Member of Congress who serves in that House in an  
7 amount equal to the product of—

8 (1) one day’s worth of pay under the annual  
9 rate of pay applicable to the Member under section  
10 601(a) of the Legislative Reorganization Act of  
11 1946 (2 U.S.C. 4501); and

12 (2) the number of days during the year on  
13 which the Government shutdown is in effect.

14 (b) ENFORCEMENT AUTHORITY DEFINED.—In this  
15 section, the “enforcement authority” of a House of Con-  
16 gress means—

17 (1) in the case of the House of Representatives,  
18 the Sergeant-at-Arms of the House of Representa-  
19 tives; and

20 (2) in the case of the Senate, the Sergeant-at-  
21 Arms and Doorkeeper of the Senate.

22 **SEC. 3. DEDUCTING FINE FROM PAY.**

23 (a) DEDUCTION FROM PAY.—If a Member of Con-  
24 gress against whom a fine is imposed under this Act has  
25 not paid the fine prior to the expiration of the 30-calendar  
26 day period which begins on the date the fine is imposed,

1 the payroll administrator of that House of Congress shall  
2 deduct the amount of the fine from the net salary other-  
3 wise due the Member, in accordance with timetables and  
4 procedures established by the Committee on House Ad-  
5 ministration of the House of Representatives (in the case  
6 of a Member of the House of Representatives or a Dele-  
7 gate or Resident Commissioner to the Congress) or the  
8 Committee on Rules and Administration of the Senate (in  
9 the case of a Senator).

10 (b) PROHIBITING USE OF CAMPAIGN OR OFFICIAL  
11 FUNDS TO PAY FINES.—A Member of Congress may not  
12 use campaign funds or official funds, including amounts  
13 in the Members’ Representational Allowance or the Sen-  
14 ators’ Official Personnel and Office Expense Account, to  
15 pay a fine imposed under this Act.

16 (c) PAYROLL ADMINISTRATOR DEFINED.—In this  
17 section, the “payroll administrator” of a House of Con-  
18 gress means—

19 (1) in the case of the House of Representatives,  
20 the Chief Administrative Officer of the House of  
21 Representatives, or an employee of the Office of the  
22 Chief Administrative Officer who is designated by  
23 the Chief Administrative Officer to carry out this  
24 section; and

1           (2) in the case of the Senate, the Secretary of  
2           the Senate, or an employee of the Office of the Sec-  
3           retary of the Senate who is designated by the Sec-  
4           retary to carry out this section.

5 **SEC. 4. DETERMINATION OF GOVERNMENT SHUTDOWN.**

6           For purposes of this Act, a Government shutdown  
7           shall be considered to be in effect if there is a lapse in  
8           appropriations for any Federal agency or department as  
9           a result of a failure to enact a regular appropriations bill  
10          or continuing resolution.

11 **SEC. 5. POLICIES AND PROCEDURES.**

12          Policies and procedures for the implementation of  
13          this Act shall be established—

14                (1) for the implementation of this Act in the  
15                House of Representatives, by the Sergeant-at-Arms,  
16                Committee on House Administration, and Chief Ad-  
17                ministrative Officer of the House of Representatives;  
18                and

19                (2) for the implementation of this Act in the  
20                Senate, by the Sergeant-at-Arms and Doorkeeper,  
21                Committee on Rules and Administration, and Sec-  
22                retary of the Senate.

23 **SEC. 6. EXERCISE OF RULEMAKING AUTHORITY.**

24          This Act is enacted by Congress—

1           (1) as an exercise of the rulemaking power of  
2 the Senate and House of Representatives, respec-  
3 tively, and as such it is deemed a part of the rules  
4 of each House, respectively, and it supersedes other  
5 rules only to the extent that it is inconsistent with  
6 such rules; and

7           (2) with full recognition of the constitutional  
8 right of either House to change the rules (so far as  
9 relating to the procedure of that House) at any time,  
10 in the same manner, and to the same extent as in  
11 the case of any other rule of that House.

12 **SEC. 7. MEMBER OF CONGRESS DEFINED.**

13       In this Act, the term “Member of Congress” means  
14 an individual serving in a position under subparagraph  
15 (A), (B), or (C) of section 601(a) of the Legislative Reor-  
16 ganization Act of 1946 (2 U.S.C. 4501).

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