

Calendar No. 11

118TH CONGRESS
1ST SESSION

S. 219

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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2023

Mr. BRAUN (for himself, Mr. MANCHIN, Mr. SCOTT of Florida, Ms. HASSAN, Mrs. CAPITO, Mrs. BRITT, Mrs. BLACKBURN, and Ms. ROSEN) introduced the following bill; which was read the first time

FEBRUARY 2, 2023

Read the second time and placed on the calendar

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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the term “Budget and Appropriations
4 Chairs” means the House Budget and Appropria-
5 tions Chairs and the Senate Budget and Appropria-
6 tions Chairs;

7 (2) the term “House Budget and Appropria-
8 tions Chairs” means the Chair of the Committee on
9 the Budget of the House of Representatives and the
10 Chair of the Committee on Appropriations of the
11 House of Representatives;

12 (3) the term “Member of Congress”—

13 (A) has the meaning given that term under
14 section 2106 of title 5, United States Code; and

15 (B) does not include the Vice President;
16 and

17 (4) the term “Senate Budget and Appropria-
18 tions Chairs” means the Chairman of the Committee
19 on the Budget of the Senate and the Chairman of
20 the Committee on Appropriations of the Senate.

21 **SEC. 3. TIMELY APPROVAL OF CONCURRENT RESOLUTION**
22 **ON THE BUDGET AND THE APPROPRIATIONS**
23 **BILLS.**

24 Not later than October 1 of each fiscal year, both
25 Houses of Congress shall—

1 (1) approve a concurrent resolution on the
2 budget as described under section 301 of the Con-
3 gressional Budget and Impoundment Control Act of
4 1974 (2 U.S.C. 632) for that the fiscal year; and

5 (2) pass all the regular appropriations bills for
6 that fiscal year.

7 **SEC. 4. NO PAY WITHOUT CONCURRENT RESOLUTION ON**
8 **THE BUDGET AND THE APPROPRIATIONS**
9 **BILLS.**

10 (a) **IN GENERAL.**—Notwithstanding any other provi-
11 sion of law, no funds may be appropriated or otherwise
12 be made available from the Treasury of the United States
13 for the pay of any Member of Congress with respect to
14 any period during which Congress is not in compliance
15 with section 3, as determined by the Budget and Appro-
16 priations Chairs under section 5.

17 (b) **NO RETROACTIVE PAY.**—A Member of Congress
18 may not receive pay with respect to any period during
19 which Congress was not in compliance with section 3, as
20 determined by the Budget and Appropriations Chairs
21 under section 5, at any time after the end of that period.

22 **SEC. 5. DETERMINATIONS.**

23 (a) **SENATE.**—

24 (1) **REQUEST FOR CERTIFICATIONS.**—On Octo-
25 ber 1 of each year, the Secretary of the Senate shall

1 submit to the Senate Budget and Appropriations
2 Chairs a request for certification of determinations
3 made under subparagraphs (A) and (B) of para-
4 graph (2).

5 (2) DETERMINATIONS.—The Senate Budget
6 and Appropriations Chairs shall—

7 (A) on October 1 of each fiscal year, make
8 a determination of whether Congress is in com-
9 pliance with section 3 with respect to that fiscal
10 year and whether Senators may not be paid
11 under section 4;

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

15 (C) provide timely certification of the de-
16 terminations under subparagraphs (A) and (B)
17 upon the request of the Secretary of the Senate.

18 (b) HOUSE OF REPRESENTATIVES.—

19 (1) REQUEST FOR CERTIFICATIONS.—On Octo-
20 ber 1 of each fiscal year, the Chief Administrative
21 Officer of the House of Representatives shall submit
22 to the House Budget and Appropriations Chairs a
23 request for certification of determinations made
24 under subparagraphs (A) and (B) of paragraph (2).

1 (2) DETERMINATIONS.—The House Budget
2 and Appropriations Chairs shall—

3 (A) on October 1 of each fiscal year, make
4 a determination of whether Congress is in com-
5 pliance with section 3 with respect to that fiscal
6 year and whether Members of the House of
7 Representatives may not be paid under section
8 4;

9 (B) determine the period of days following
10 each October 1 that Members of the House of
11 Representatives may not be paid under section
12 4; and

13 (C) provide timely certification of the de-
14 terminations under subparagraphs (A) and (B)
15 upon the request of the Chief Administrative
16 Officer of the House of Representatives.

17 **SEC. 6. EFFECTIVE DATE.**

18 This Act shall take effect on September 29, 2025.

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