

114TH CONGRESS
1ST SESSION

S. 493

To reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2015

Mr. DAINES (for himself, Mr. CASSIDY, Mr. GARDNER, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on the Budget

A BILL

To reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, 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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Balanced Budget Accountability Act”.

6 (b) FINDINGS.—Congress finds the following:

1 (1) The Federal debt exceeds
2 \$18,000,000,000,000, continues to grow rapidly, and
3 is larger than the size of the United States economy.

4 (2) The Federal budget has shown an annual
5 deficit in 45 of the last 50 years.

6 (3) Deficits and the Federal debt threaten to
7 shatter confidence in the Nation's economy, suppress
8 job creation and economic growth, and leave future
9 generations of Americans with a lower standard of
10 living and fewer opportunities.

11 (4) It is the duty of Members of Congress to
12 develop and implement policies, including balancing
13 the Federal budget, that encourage robust job cre-
14 ation and economic growth in the United States.

15 (5) Members of Congress should be held ac-
16 countable for failing to pass annual budgets that re-
17 sult in a balanced budget.

18 **SEC. 2. REQUIRING ADOPTION OF BUDGET RESOLUTION**

19 **PROVIDING FOR BALANCED BUDGETS.**

20 (a) ADOPTION OF BUDGET RESOLUTION.—Each
21 House of Congress shall adopt a concurrent resolution on
22 the budget for a fiscal year which provides that, for each
23 fiscal year for which a budget is provided under the resolu-
24 tion (beginning not later than with the budget for fiscal
25 year 2025)—

1 (1) total outlays do not exceed total receipts;
2 and

3 (2) total outlays are not more than 18 percent
4 of the gross domestic product of the United States
5 (as determined by the Bureau of Economic Analysis
6 of the Department of Commerce) for such fiscal
7 year.

8 (b) **CERTIFICATION BY CONGRESSIONAL BUDGET**
9 **OFFICE.**—Upon the adoption by a House of Congress of
10 a concurrent resolution on the budget for a fiscal year,
11 the Director of the Congressional Budget Office shall
12 transmit to the Speaker of the House of Representatives
13 or the President pro tempore of the Senate (as the case
14 may be) a certification as to whether or not that House
15 of Congress has met the requirements of subsection (a)
16 with respect to the resolution.

17 (c) **EFFECTIVE DATE.**—This section shall apply with
18 respect to the concurrent resolution on the budget for fis-
19 cal year 2016 and each succeeding fiscal year.

20 **SEC. 3. EFFECT OF FAILURE TO ADOPT RESOLUTION.**

21 (a) **RULE FOR FISCAL YEARS 2016 AND 2017.**—

22 (1) **FISCAL YEAR 2016.**—

23 (A) **HOLDING SALARIES IN ESCROW.**—If
24 the Director does not certify that a House of
25 Congress has met the requirements of section

1 2(a) with respect to fiscal year 2016 before
2 April 16, 2015, during the period described in
3 subparagraph (B) the payroll administrator of
4 that House of Congress shall deposit in an es-
5 crow account all payments otherwise required to
6 be made during such period for the compensa-
7 tion of Members of Congress who serve in that
8 House of Congress, and shall release such pay-
9 ments to such Members only upon the expira-
10 tion of such period.

11 (B) PERIOD DESCRIBED.—With respect to
12 a House of Congress, the period described in
13 this subparagraph is the period that begins on
14 April 16, 2015, and ends on the earlier of—

15 (i) the date on which the Director cer-
16 tifies that the House of Congress has met
17 the requirements of section 2(a) with re-
18 spect to fiscal year 2016; or

19 (ii) the last day of the One Hundred
20 Fourteenth Congress.

21 (2) FISCAL YEAR 2017.—

22 (A) HOLDING SALARIES IN ESCROW.—If
23 the Director does not certify that a House of
24 Congress has met the requirements of section
25 2(a) with respect to fiscal year 2017 before

1 April 16, 2016, during the period described in
2 subparagraph (B) the payroll administrator of
3 that House of Congress shall deposit in an es-
4 crow account all payments otherwise required to
5 be made during such period for the compensa-
6 tion of Members of Congress who serve in that
7 House of Congress, and shall release such pay-
8 ments to such Members only upon the expira-
9 tion of such period.

10 (B) PERIOD DESCRIBED.—With respect to
11 a House of Congress, the period described in
12 this subparagraph is the period that begins on
13 April 16, 2016, and ends on the earlier of—

14 (i) the date on which the Director cer-
15 tifies that the House of Congress has met
16 the requirements of section 2(a) with re-
17 spect to fiscal year 2017; or

18 (ii) the last day of the One Hundred
19 Fourteenth Congress.

20 (3) WITHHOLDING AND REMITTANCE OF
21 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
22 payroll administrator shall provide for the same
23 withholding and remittance with respect to a pay-
24 ment deposited in an escrow account under para-
25 graph (1) or (2) that would apply to the payment if

1 the payment were not subject to paragraph (1) or
2 (2).

3 (4) RELEASE OF AMOUNTS AT END OF THE
4 CONGRESS.—In order to ensure that this subsection
5 is carried out in a manner that shall not vary the
6 compensation of Senators or Representatives in vio-
7 lation of the twenty-seventh article of amendment to
8 the Constitution of the United States, the payroll
9 administrator of a House of Congress shall release
10 for payments to Members of that House of Congress
11 any amounts remaining in any escrow account under
12 this section on the last day of the One Hundred
13 Fourteenth Congress.

14 (5) ROLE OF SECRETARY OF THE TREASURY.—
15 The Secretary of the Treasury shall provide the pay-
16 roll administrators of the Houses of Congress with
17 such assistance as may be necessary to enable the
18 payroll administrators to carry out this subsection.

19 (6) PAYROLL ADMINISTRATOR DEFINED.—In
20 this subsection, the “payroll administrator” of a
21 House of Congress means—

22 (A) in the case of the House of Represent-
23 atives, the Chief Administrative Officer of the
24 House of Representatives, or an employee of
25 the Office of the Chief Administrative Officer

1 who is designated by the Chief Administrative
2 Officer to carry out this section; and

3 (B) in the case of the Senate, the Sec-
4 retary of the Senate, or an employee of the Of-
5 fice of the Secretary of the Senate who is des-
6 ignated by the Secretary to carry out this sec-
7 tion.

8 (b) **RULE FOR FISCAL YEAR 2018 AND SUBSEQUENT**
9 **FISCAL YEARS.**—If the Director of the Congressional
10 Budget Office does not certify that a House of Congress
11 has met the requirements of section 2(a) with respect to
12 fiscal year 2018, or any fiscal year thereafter, before April
13 16 of the fiscal year before such fiscal year, during pay
14 periods which occur in the same calendar year after that
15 date each Member of that House shall be paid at an an-
16 nual rate of pay equal to \$1.

17 (c) **DEFINITIONS.**—In this section—

18 (1) the term “Director” means the Director of
19 the Congressional Budget Office; and

20 (2) the term “Member” includes a Delegate or
21 Resident Commissioner to Congress.

22 **SEC. 4. SUPERMAJORITY REQUIREMENT FOR INCREASING**
23 **REVENUE.**

24 (a) **IN GENERAL.**—In the Senate and the House of
25 Representatives, a bill, joint resolution, amendment, con-

1 ference report, or amendment between the Houses that in-
2 creases revenue shall only be agreed to upon an affirma-
3 tive vote of three-fifths of the Members of that House of
4 Congress duly chosen and sworn.

5 (b) RULES OF SENATE AND THE HOUSE OF REP-
6 RESENTATIVES.—Subsection (a) is enacted by Congress—

7 (1) as an exercise of the rulemaking power of
8 the Senate and House of Representatives, respec-
9 tively, and as such it is deemed a part of the rules
10 of each House, respectively, but applicable only with
11 respect to the procedure to be followed in that
12 House in the case of a bill, joint resolution, amend-
13 ment, conference report, or amendment between the
14 Houses that increases revenue, and it supersedes
15 other rules only to the extent that it is inconsistent
16 with such rules; and

17 (2) with full recognition of the constitutional
18 right of either House to change the rules (so far as
19 relating to the procedure of that House) at any time,
20 in the same manner, and to the same extent as in
21 the case of any other rule of that House.

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