

108TH CONGRESS  
2D SESSION

# H. R. 3736

To provide that pay for Members of Congress be reduced following any fiscal year in which there is a Federal deficit.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2004

Mr. DEAL of Georgia introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Government Reform, 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 provide that pay for Members of Congress be reduced following any fiscal year in which there is a Federal deficit.

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 “Fiscal Responsibility  
5       Act of 2004”.

6       **SEC. 2. DEFINITIONS.**

7       For the purpose of this Act—

8               (1) a “deficit” shall be considered to exist in a  
9       fiscal year if total budget outlays of the Government

1 for such fiscal year exceed total revenues of the Gov-  
2 ernment for such fiscal year (as determined under  
3 section 3(d)); and

4 (2) the term “Member of Congress” or “Mem-  
5 ber” means an individual serving in a position re-  
6 ferred to in section 601(a)(1) of the Legislative Re-  
7 organization Act of 1946 (2 U.S.C. 31(1)).

8 **SEC. 3. EFFECT OF A DEFICIT.**

9 (a) IN GENERAL.—Notwithstanding any other provi-  
10 sion of law, if there is a deficit in a fiscal year, then—

11 (1) any pay adjustment for Members of Con-  
12 gress scheduled to take effect under section 601(a)  
13 of the Legislative Reorganization Act of 1946 (2  
14 U.S.C. 31) in the succeeding calendar year shall be  
15 null and void; and

16 (2) effective as of the first day of the first pay  
17 period beginning in that succeeding calendar year,  
18 rates of basic pay for Members of Congress shall be  
19 reduced (from the rate in effect as of the day before  
20 the start of such succeeding calendar year) by the  
21 amount determined under subsection (b), but not  
22 below zero.

23 (b) REDUCTIONS REQUIRED.—The reduction re-  
24 quired under this subsection is as follows:

1           (1) If the reduction is to take effect in a cal-  
2       endar year that does not immediately follow another  
3       calendar year in which a reduction under this sec-  
4       tion was made, the reduction amount shall be equal  
5       to 5 percent of the rate of basic pay last in effect  
6       before such reduction is made.

7           (2) If the reduction is to take effect in a cal-  
8       endar year that immediately follows another cal-  
9       endar year in which a reduction under this section  
10      was made, the reduction amount shall be equal to 10  
11      percent of the rate of basic pay last in effect before  
12      the most recent reduction under paragraph (1) was  
13      made.

14      (c) CONDITIONS FOR RESTORATION.—If, following  
15      one or more years in which Members' pay is reduced under  
16      this Act, there occurs a fiscal year in which there is no  
17      deficit, then, effective as of the first day of the first pay  
18      period in the succeeding calendar year (and until another  
19      deficit triggering the preceding provisions of this section  
20      occurs)—

21           (1) rates of basic pay for Members shall be re-  
22      stored to the highest rate that was at any time pre-  
23      viously payable for the office involved; and

1           (2) pay adjustments scheduled to take effect on  
2           or after such first day under the provision of law re-  
3           ferred to in subsection (a)(1) shall be effective.

4           (d) DETERMINATIONS.—Determinations of whether  
5           or not a deficit exists in any fiscal year shall, for purposes  
6           of this Act, be made by the Director of the Congressional  
7           Budget Office. In making any such determination, the Di-  
8           rector shall exclude any budget outlays which (as deter-  
9           mined by the Director) directly relate to a military conflict  
10          that lasts over 30 days or that is in direct response to  
11          a terrorist attack on the United States.

12   **SEC. 4. EFFECTIVE DATE.**

13          This Act shall take effect on the date of the enact-  
14          ment of this Act, except that no determination under sec-  
15          tion 3(d) shall be made with respect to any fiscal year  
16          before fiscal year 2005.

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