

108TH CONGRESS  
2D SESSION

# S. 2041

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 SENATE OF THE UNITED STATES

FEBRUARY 2, 2004

Mr. MILLER introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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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  
10      for such fiscal year exceed total revenues of the Gov-

1       ernment for such fiscal year (as determined under  
2       section 3(d)); and

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

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

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

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

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

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

24           (1) If the reduction is to take effect in a cal-  
25       endar year that does not immediately follow another

1       calendar year in which a reduction under this sec-  
2       tion was made, the reduction amount shall be equal  
3       to 5 percent of the rate of basic pay last in effect  
4       before such reduction is made.

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

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

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

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

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

9 **SEC. 4. EFFECTIVE DATE.**

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

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