

111TH CONGRESS
1ST SESSION

H. R. 4336

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Mr. DEAL of Georgia (for himself, Mr. GINGREY of Georgia, Mr. WESTMORELAND, Mr. LINDER, and Mr. PAUL) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and 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

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 2009”.

6 **SEC. 2. DEFINITIONS.**

7 For the purpose of this Act—

1 (1) a “deficit” shall be considered to exist in a
2 fiscal year if total budget outlays of the Government
3 for such fiscal year exceed total revenues of the Gov-
4 ernment for such fiscal year (as determined under
5 section 3(d)); and

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

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

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

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

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

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

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

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

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

23 (1) rates of basic pay for Members shall be re-
24 stored to the highest rate that was at any time pre-
25 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 2010.

○