

112TH CONGRESS
1ST SESSION

S. 1442

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.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2011

Mr. HELLER (for himself, Mr. BURR, Mr. VITTER, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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.

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”.

6 **SEC. 2. DEFINITION.**

7 In this section, the term “Member of Congress”—

8 (1) has the meaning given under section 2106
9 of title 5, United States Code; and

1 (2) does not include the Vice President.

2 **SEC. 3. TIMELY APPROVAL OF CONCURRENT RESOLUTION**
3 **ON THE BUDGET.**

4 If both Houses of Congress have not approved a con-
5 current resolution on the budget as described under sec-
6 tion 301 of the Congressional Budget and Impoundment
7 Control Act of 1974 (2 U.S.C. 632) for a fiscal year before
8 October 1 of that fiscal year, the pay of each Member of
9 Congress may not be paid for each day following that Oc-
10 tober 1 until the date on which both Houses of Congress
11 approve a concurrent resolution on the budget for that fis-
12 cal year.

13 **SEC. 4. NO PAY WITHOUT CONCURRENT RESOLUTION ON**
14 **THE BUDGET.**

15 (a) IN GENERAL.—Notwithstanding any other provi-
16 sion of law, no funds may be appropriated or otherwise
17 be made available from the United States Treasury for
18 the pay of any Member of Congress during any period de-
19 termined by the Chairperson of the Committee on the
20 Budget of the Senate or the Chairperson of the Committee
21 on the Budget of the House of Representatives under sec-
22 tion 5.

23 (b) NO RETROACTIVE PAY.—A Member of Congress
24 may not receive pay for any period determined by the
25 Chairperson of the Committee on the Budget of the Sen-

1 ate or the Chairperson of the Committee on the Budget
2 of the House of Representatives under section 5, at any
3 time after the end of that period.

4 **SEC. 5. DETERMINATIONS.**

5 (a) SENATE.—

6 (1) REQUEST FOR CERTIFICATIONS.—On Octo-
7 ber 1 of each year, the Secretary of the Senate shall
8 submit a request to the Chairperson of the Com-
9 mittee on the Budget of the Senate for certification
10 of determinations made under paragraph (2) (A)
11 and (B).

12 (2) DETERMINATIONS.—The Chairperson of the
13 Committee on the Budget of the Senate shall—

14 (A) on October 1 of each year, make a de-
15 termination of whether Congress is in compli-
16 ance with section 4 and whether Senators may
17 not be paid under that section; and

18 (B) determine the period of days following
19 each October 1 that Senators may not be paid
20 under section 4; and

21 (C) provide timely certification of the de-
22 terminations under subparagraphs (A) and (B)
23 upon the request of the Secretary of the Senate.

24 (b) HOUSE OF REPRESENTATIVES.—

1 (1) REQUEST FOR CERTIFICATIONS.—On Octo-
2 ber 1 of each year, the Chief Administrative Officer
3 of the House of Representatives shall submit a re-
4 quest to the Chairperson of the Committee on the
5 Budget of the House of Representatives for certifi-
6 cation of determinations made under paragraph (2)
7 (A) and (B).

8 (2) DETERMINATIONS.—The Chairperson of the
9 Committee on the Budget of the House of Rep-
10 resentatives shall—

11 (A) on October 1 of each year, make a de-
12 termination of whether Congress is in compli-
13 ance with section 4 and whether Senators may
14 not be paid under that section; and

15 (B) determine the period of days following
16 each October 1 that Senators may not be paid
17 under section 4; and

18 (C) provide timely certification of the de-
19 terminations under subparagraph (A) and (B)
20 upon the request of the Chief Administrative
21 Officer of the House of Representatives.

22 **SEC. 6. EFFECTIVE DATE.**

23 This section shall take effect on February 1, 2013.

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