

116TH CONGRESS
2D SESSION

H. R. 8305

To provide that Members of Congress shall not be paid if Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills on a timely basis, to eliminate automatic pay adjustments for Members of Congress, to prohibit the use of funds provided for the official travel expenses of Members of Congress and other officers and employees of the legislative branch for first-class airline accommodations, to establish a lifetime ban on lobbying by former Members of Congress, to prohibit the consideration in the House of Representatives of measures lacking demonstrable bipartisan support, to prohibit the consideration in the House of Representatives of any legislation containing an earmark, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2020

Mrs. MURPHY of Florida (for herself, Mr. FITZPATRICK, Ms. TORRES SMALL of New Mexico, Mr. MCADAMS, Mr. O'HALLERAN, Mr. CUNNINGHAM, Mr. ROSE of New York, and Mr. BRINDISI) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Reform, the Judiciary, and Rules, 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 Members of Congress shall not be paid if Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills on a timely basis, to eliminate automatic pay adjustments for Members of Congress, to prohibit the use of funds provided for the official travel expenses of Mem-

bers of Congress and other officers and employees of the legislative branch for first-class airline accommodations, to establish a lifetime ban on lobbying by former Members of Congress, to prohibit the consideration in the House of Representatives of measures lacking demonstrable bipartisan support, to prohibit the consideration in the House of Representatives of any legislation containing an earmark, 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.**

4 This Act may be cited as the “Foster Accountability,
 5 Integrity, Trust, and Honor in Congress Act” or the
 6 “FAITH in Congress Act”.

7 **SEC. 2. PROHIBITING COMPENSATION OF MEMBERS OF**
 8 **CONGRESS FOR FAILURE TO AGREE TO**
 9 **BUDGET RESOLUTION OR PASS REGULAR AP-**
 10 **PROPRIATIONS BILLS ON TIMELY BASIS.**

11 (a) FAILURE TO AGREE TO BUDGET RESOLUTION.—

12 (1) PROHIBITING COMPENSATION.—If by April
 13 15 of any calendar year occurring during a Congress
 14 (beginning with the One Hundred Seventeenth Con-
 15 gress), both Houses of Congress have not agreed to
 16 a concurrent resolution on the budget pursuant to
 17 section 301 of the Congressional Budget Act of
 18 1974 for the fiscal year which begins on October 1
 19 of that year, no Member of Congress may receive

1 compensation with respect to the period described in
2 paragraph (2).

3 (2) PERIOD DESCRIBED.—The period described
4 in this paragraph is the period which begins on April
5 16 of the calendar year and ends on the day on
6 which both Houses of Congress agree to a concur-
7 rent resolution on the budget for the fiscal year
8 which begins on October 1 of that year.

9 (b) FAILURE TO PASS REGULAR APPROPRIATION
10 BILLS.—

11 (1) PROHIBITING COMPENSATION.—If by Sep-
12 tember 30 of any calendar year occurring during a
13 Congress (beginning with the One Hundred Seven-
14 teenth Congress), both Houses of Congress have not
15 passed each of the regular appropriation bills for the
16 fiscal year which begins on October 1 of that year,
17 no Member of Congress may receive compensation
18 with respect to the period described in paragraph
19 (2).

20 (2) PERIOD DESCRIBED.—The period described
21 in this paragraph is the period which begins on Oc-
22 tober 1 of the calendar year and ends on the first
23 day by which both Houses of Congress have passed
24 each of the regular appropriation bills for the fiscal
25 year which begins on October 1 of that year.

1 (3) REGULAR APPROPRIATION BILL DE-
2 FINED.—The term “regular appropriation bill”
3 means any annual appropriation bill which, with re-
4 spect to the Congress involved, is under the jurisdic-
5 tion of a single subcommittee of the Committee on
6 Appropriations of the House of Representatives
7 (pursuant to the Rules of the House of Representa-
8 tives for that Congress) and a single subcommittee
9 of the Committee on Appropriations of the Senate
10 (pursuant to the Standing Rules of the Senate).

11 (c) TREATMENT OF DELEGATES AS MEMBERS; EX-
12 CLUSION OF VICE PRESIDENT.—In this section, the term
13 “Member of Congress” includes a Delegate or Resident
14 Commissioner to the Congress but does not include the
15 Vice President.

16 **SEC. 3. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS**
17 **FOR MEMBERS OF CONGRESS.**

18 (a) IN GENERAL.—Paragraph (2) of section 601(a)
19 of the Legislative Reorganization Act of 1946 (2 U.S.C.
20 4501(2)) is repealed.

21 (b) CONFORMING AMENDMENTS.—Section 601(a)(1)
22 of such Act (2 U.S.C. 4501) is amended—

23 (1) by striking “(a)(1)” and inserting “(a)”;

1 (2) by redesignating subparagraphs (A), (B),
2 and (C) as paragraphs (1), (2), and (3), respectively;
3 and

4 (3) by striking “, as adjusted by paragraph (2)
5 of this subsection”.

6 (c) EFFECTIVE DATE.—This section and the amend-
7 ments made by this section shall take effect December 31,
8 2020.

9 **SEC. 4. PROHIBITING USE OF FUNDS FOR OFFICIAL TRAV-**
10 **EL EXPENSES OF MEMBERS OF CONGRESS**
11 **AND LEGISLATIVE BRANCH EMPLOYEES FOR**
12 **AIRLINE ACCOMMODATIONS OTHER THAN**
13 **COACH-CLASS.**

14 (a) PROHIBITION.—Except as provided in subsection
15 (b), no funds appropriated or otherwise made available for
16 the official travel expenses of a Member of Congress or
17 other officer or employee of any office in the legislative
18 branch may be used for airline accommodations which are
19 not coach-class accommodations.

20 (b) EXCEPTIONS.—Funds described in subsection (a)
21 may be used for airline accommodations which are not
22 coach-class accommodations for an individual described in
23 subsection (a) if the use of the funds for such accommo-
24 dations would be permitted under sections 301–10.121
25 through 301–10.125 of title 41 of the Code of Federal

1 Regulations if the individual were an employee of an agen-
2 cy which is subject to chapter 301 of such title.

3 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion may be construed to affect any officer or employee
5 of an office of the legislative branch which, as of the date
6 of the enactment of this Act, is subject to chapter 301
7 of title 41 of the Code of Federal Regulations.

8 (d) DEFINITIONS.—

9 (1) COACH-CLASS ACCOMMODATIONS.—In this
10 section, the term “coach-class accommodations”
11 means the basic class of accommodation by airlines
12 that is normally the lowest fare offered regardless of
13 airline terminology used, and (as referred to by air-
14 lines) may include tourist class or economy class, as
15 well as single class when the airline offers only one
16 class of accommodations to all travelers.

17 (2) MEMBER OF CONGRESS.—In this section,
18 the term “Member of Congress” means a Senator or
19 a Representative in, or Delegate or Resident Com-
20 missioner to, the Congress.

21 (e) EFFECTIVE DATE.—This section shall apply with
22 respect to fiscal year 2021 and each succeeding fiscal year.

1 **SEC. 5. PROHIBITING FORMER MEMBERS AND OFFICERS**
2 **OF CONGRESS FROM LOBBYING CONGRESS.**

3 (a) PROHIBITION.—Section 207(e)(1) of title 18,
4 United States Code, is amended to read as follows:

5 “(1) MEMBERS AND ELECTED OFFICERS OF
6 CONGRESS.—Any person who is a Senator, a Mem-
7 ber of the House of Representatives, or an elected
8 officer of the Senate or the House of Representa-
9 tives and who, after that person leaves office, know-
10 ingly makes, with the intent to influence, any com-
11 munication to or appearance before any Member, of-
12 ficer, or employee of either House of Congress or
13 any employee of any other legislative office of the
14 Congress, on behalf of any other person (except the
15 United States) in connection with any matter on
16 which such former Senator, Member, or elected offi-
17 cial seeks action by a Member, officer, or employee
18 of either House of Congress, in his or her official ca-
19 pacity, shall be punished as provided in section 216
20 of this title.”.

21 (b) CONFORMING AMENDMENTS.—Section 207(e)(2)
22 of such title is amended—

23 (1) in the heading, by striking “OFFICERS AND
24 STAFF” and inserting “STAFF”;

25 (2) by striking “an elected officer of the Senate,
26 or”;

1 (3) by striking “leaves office or employment”
2 and inserting “leaves employment”; and
3 (4) by striking “former elected officer or”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to an individual who
6 leaves office on or after the date of the enactment of this
7 Act.

8 **SEC. 6. PROHIBITING CONSIDERATION IN HOUSE OF REP-**
9 **RESENTATIVES OF MEASURES LACKING DE-**
10 **MONSTRABLE BIPARTISAN SUPPORT.**

11 (a) AMENDMENT TO RULES OF HOUSE OF REP-
12 REPRESENTATIVES.—Rule XIV of the Rules of the House of
13 Representatives is amended by adding at the end the fol-
14 lowing new clause:

15 “(7) It shall not be in order in the House of
16 Representatives or in the Committee on the Whole
17 House on the State of the Union to consider a bill,
18 joint resolution, resolution, or conference report un-
19 less the measure involved has demonstrable bipar-
20 tisan support in the form in which it is to be consid-
21 ered.”.

22 (b) SENSE OF THE HOUSE REGARDING MAJORITY
23 PARTY PROTOCOLS AND PROCEDURES.—It is the sense
24 of the House of Representatives that the majority party
25 of the House should ensure that its protocols and proce-

1 dures applicable to the consideration of measures by the
2 House are consistent with the requirements of clause 7
3 of rule XIV of the Rules of the House of Representatives
4 (as added by subsection (a)).

5 (c) EXERCISE OF RULEMAKING POWERS.—The pro-
6 visions of this section are enacted—

7 (1) as an exercise of the rulemaking power of
8 the House of Representatives, and as such they shall
9 be considered as part of the rules of the House, and
10 such rules shall supersede other rules only to the ex-
11 tent that they are inconsistent therewith; and

12 (2) with full recognition of the constitutional
13 right of the House of Representatives to change
14 such rules (so far as relating to the House) at any
15 time, in the same manner, and to the same extent
16 as in the case of any other rule of the House.

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