

116TH CONGRESS
1ST SESSION

H. R. 845

To prohibit the payment of a salary to Members of Congress, the President, and the Vice President during periods during which a Government shutdown is in effect, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2019

Mr. GOLDEN (for himself, Mr. ROSE of New York, Mr. CRENSHAW, Mr. COOPER, Ms. PINGREE, and Mr. COX of California) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on House Administration, 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 prohibit the payment of a salary to Members of Congress, the President, and the Vice President during periods during which a Government shutdown is in effect, 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 “Solidarity in Salary
5 Act of 2019”.

1 **SEC. 2. PROHIBITING PAYING SALARIES OF MEMBERS OF**
2 **CONGRESS DURING GOVERNMENT SHUT-**
3 **DOWN.**

4 (a) RULE FOR ONE HUNDRED SIXTEENTH CON-
5 GRESS.—

6 (1) HOLDING SALARIES IN ESCROW.—If on any
7 day during a pay period occurring during the One
8 Hundred Sixteenth Congress a Government shut-
9 down is in effect, the payroll administrator of each
10 House of Congress shall—

11 (A) deposit in an escrow account and ex-
12 clude from the payments otherwise required to
13 be made with respect to that pay period for the
14 compensation of each Member of Congress who
15 serves in that House of Congress an amount
16 equal to the product of—

17 (i) the daily rate of pay of the Mem-
18 ber under section 601(a) of the Legislative
19 Reorganization Act of 1946 (2 U.S.C.
20 4501); and

21 (ii) the number of 24-hour periods
22 during the pay period during which the
23 Government shutdown is in effect; and

24 (B) release amounts deposited in an es-
25 crow account under subparagraph (A) to such

1 Member of Congress only upon the expiration of
2 the period described in paragraph (2).

3 (2) PERIOD DESCRIBED.—The period described
4 in this paragraph is the period that—

5 (A) begins on the first day on which the
6 applicable Government shutdown is in effect;
7 and

8 (B) ends on the earlier of—

9 (i) the date on which the applicable
10 Government shutdown is no longer in ef-
11 fect; or

12 (ii) the last day of the One Hundred
13 Sixteenth Congress.

14 (3) WITHHOLDING AND REMITTANCE OF
15 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
16 payroll administrator of each House of Congress
17 shall provide for the same withholding and remit-
18 tance with respect to a payment deposited in an es-
19 crow account under paragraph (1) that would apply
20 to the payment if the payment were not subject to
21 paragraph (1).

22 (4) RELEASE OF AMOUNTS AT END OF THE
23 CONGRESS.—In order to ensure that this subsection
24 is carried out in a manner that shall not vary the
25 compensation of Senators or Representatives in vio-

1 lation of the twenty-seventh amendment to the Con-
2 stitution of the United States, the payroll adminis-
3 trator of a House of Congress shall release for pay-
4 ment to Members of that House of Congress any
5 amounts remaining in any escrow account under this
6 section on the last day of the One Hundred Six-
7 teenth Congress.

8 (b) SUBSEQUENT CONGRESSES.—On and after the
9 first day of the One Hundred Seventeenth Congress, if
10 on any day during a pay period a Government shutdown
11 is in effect, the payroll administrator of each House of
12 Congress shall exclude from the payments otherwise re-
13 quired to be made with respect to that pay period for the
14 compensation of each Member of Congress who serves in
15 that House of Congress an amount equal to the product
16 of—

17 (1) the daily rate of pay of the Member under
18 section 601(a) of the Legislative Reorganization Act
19 of 1946 (2 U.S.C. 4501); and

20 (2) the number of 24-hour periods during the
21 pay period during which the Government shutdown
22 is in effect.

23 (c) ROLE OF SECRETARY OF THE TREASURY.—The
24 Secretary of the Treasury shall provide the payroll admin-
25 istrator of each House of Congress with such assistance

1 as may be necessary to enable the payroll administrator
2 to carry out this Act.

3 (d) DEFINITIONS.—In this section—

4 (1) the term “Member of Congress” means an
5 individual serving in a position covered under sub-
6 paragraph (A), (B), or (C) of section 601(a)(1) of
7 the Legislative Reorganization Act of 1946 (2
8 U.S.C. 4501(1)); and

9 (2) the term “payroll administrator”, with re-
10 spect to a House of Congress, means—

11 (A) in the case of the House of Represent-
12 atives, the Chief Administrative Officer of the
13 House of Representatives, or an employee of
14 the Office of the Chief Administrative Officer
15 who is designated by the Chief Administrative
16 Officer to carry out this Act; and

17 (B) in the case of the Senate, the Sec-
18 retary of the Senate, or an employee of the Of-
19 fice of the Secretary of the Senate who is des-
20 ignated by the Secretary to carry out this Act.

21 **SEC. 3. PROHIBITING PAYING SALARIES OF PRESIDENT**
22 **AND VICE PRESIDENT DURING GOVERNMENT**
23 **SHUTDOWNS.**

24 (a) HOLDING SALARIES IN ESCROW.—If on any day
25 during a pay period occurring during the term of office

1 of the President or Vice President a Government shut-
2 down is in effect, the Director of the Office of Personnel
3 Management shall—

4 (1) deposit in an escrow account and exclude
5 from the payments otherwise required to be made
6 with respect to that pay period for the compensation
7 of the President and the Vice President an amount
8 equal to the product of—

9 (A) the daily rate of pay of the President
10 or Vice President (as the case may be) under
11 applicable law; and

12 (B) the number of 24-hour periods during
13 the pay period during which the Government
14 shutdown is in effect; and

15 (2) release amounts deposited in an escrow ac-
16 count under paragraph (1) to the President and the
17 Vice President only upon the expiration of the period
18 described in subsection (b).

19 (b) PERIOD DESCRIBED.—The period described in
20 this subsection is the period that—

21 (1) begins on the first day on which the appli-
22 cable Government shutdown is in effect; and

23 (2) ends on the earlier of—

24 (A) the date on which the applicable Gov-
25 ernment shutdown is no longer in effect; or

1 (B) the last day of the term of office of the
2 President and Vice President during which the
3 period begins.

4 (c) WITHHOLDING AND REMITTANCE OF AMOUNTS
5 FROM PAYMENTS HELD IN ESCROW.—The Director of
6 the Office of Personnel Management shall provide for the
7 same withholding and remittance with respect to a pay-
8 ment deposited in an escrow account under subsection (a)
9 that would apply to the payment if the payment were not
10 subject to subsection (a).

11 (d) RELEASE OF AMOUNTS AT END OF TERM.—The
12 Director of the Office of Personnel Management shall re-
13 lease for payment to the President and Vice President any
14 amounts remaining in the escrow account under this sec-
15 tion on the last day of the term of office of the President
16 and Vice President during which the period described in
17 subsection (b) begins.

18 **SEC. 4. GOVERNMENT SHUTDOWN DEFINED.**

19 In this Act, the term “Government shutdown” means
20 a lapse in appropriations for 1 or more Federal agencies
21 or departments as a result of a failure to enact a regular
22 appropriations bill or continuing resolution.

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