

116TH CONGRESS
1ST SESSION

H. R. 86

To provide that the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2020 by April 15, 2019, and to withhold the salary of the Director of OMB upon failure to submit the President's budget to Congress as required by section 1105 of title 31, United States Code.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. BIGGS introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on the Budget, and Oversight and 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 the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2020 by April 15, 2019, and to withhold the salary of the Director of OMB upon failure to submit the President's budget to Congress as required by section 1105 of title 31, United States Code.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Budget Process Ac-
3 countability Act”.

4 **SEC. 2. HOLDING SALARIES OF MEMBERS OF CONGRESS IN**
5 **ESCROW UPON FAILURE TO AGREE TO BUDG-**
6 **ET RESOLUTION.**

7 (a) **HOLDING SALARIES IN ESCROW.—**

8 (1) **IN GENERAL.**—If by April 15, 2019, a
9 House of Congress has not agreed to a concurrent
10 resolution on the budget for fiscal year 2020 pursuant
11 to section 301 of the Congressional Budget Act
12 of 1974, during the period described in paragraph
13 (2) the payroll administrator of that House of Congress
14 shall deposit in an escrow account all payments
15 otherwise required to be made during such period
16 for the compensation of Members of Congress
17 who serve in that House of Congress, and shall release
18 such payments to such Members only upon the
19 expiration of such period.

20 (2) **PERIOD DESCRIBED.**—With respect to a
21 House of Congress, the period described in this
22 paragraph is the period which begins on April 16,
23 2019, and ends on the earlier of—

24 (A) the day on which the House of Congress
25 agrees to a concurrent resolution on the
26 budget for fiscal year 2020 pursuant to section

1 301 of the Congressional Budget Act of 1974;

2 or

3 (B) the last day of the One Hundred Six-
4 teenth Congress.

5 (3) WITHHOLDING AND REMITTANCE OF
6 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
7 payroll administrator shall provide for the same
8 withholding and remittance with respect to a pay-
9 ment deposited in an escrow account under para-
10 graph (1) that would apply to the payment if the
11 payment were not subject to paragraph (1).

12 (4) RELEASE OF AMOUNTS AT END OF THE
13 CONGRESS.—In order to ensure that this section is
14 carried out in a manner that shall not vary the com-
15 pensation of Senators or Representatives in violation
16 of the twenty-seventh article of amendment to the
17 Constitution of the United States, the payroll ad-
18 ministrator of a House of Congress shall release for
19 payments to Members of that House of Congress
20 any amounts remaining in any escrow account under
21 this section on the last day of the One Hundred Six-
22 teenth Congress.

23 (5) ROLE OF SECRETARY OF THE TREASURY.—
24 The Secretary of the Treasury shall provide the pay-
25 roll administrators of the Houses of Congress with

such assistance as may be necessary to enable the payroll administrators to carry out this section.

3 (b) TREATMENT OF DELEGATES AS MEMBERS.—In
4 this section, the term “Member of Congress” includes a
5 Delegate or Resident Commissioner to the Congress.

6 (c) PAYROLL ADMINISTRATOR DEFINED.—In this
7 section, the term “payroll administrator” of a House of
8 Congress means—

19 SEC. 3. DETERMINATION OF COMPLIANCE WITH STATU-
20 TORY REQUIREMENT TO SUBMIT THE PRESI-
21 DENT'S BUDGET.

22 Not later than 3 days after the President's budget
23 is due, the Inspector General of the Office of Personnel
24 Management shall—

11 SEC. 4. NO PAY UPON FAILURE TO TIMELY SUBMIT THE
12 PRESIDENT'S BUDGET TO CONGRESS.

13 (a) IN GENERAL.—Notwithstanding any other provi-
14 sion of law, no funds may be appropriated or otherwise
15 be made available from the United States Treasury for
16 the pay of the Director of OMB, Deputy Director of OMB,
17 and the Deputy Director for Management of OMB during
18 any period of noncompliance determined by the Inspector
19 General of the Office of Personnel Management under sec-
20 tion 3.

21 (b) NO RETROACTIVE PAY.—The Director of OMB,
22 Deputy Director of OMB, and the Deputy Director for
23 Management of OMB may not receive pay for any period
24 of noncompliance determined by the Inspector General of

- 1 the Office of Personnel Management under section 3 at
- 2 any time after the end of that period.

3 **SEC. 5. EFFECTIVE DATE.**

- 4 Sections 3 and 4 shall take effect upon the date of
- 5 enactment of this Act.

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