

118TH CONGRESS  
1ST SESSION

# S. 89

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 and passed the regular appropriations bills.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2023

Mr. BRAUN (for himself, Mr. MANCHIN, Mr. SCOTT of Florida, Ms. HASSAN, Mrs. CAPITO, Mrs. BRITT, and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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 and passed the regular appropriations bills.

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. DEFINITIONS.**

7 In this Act—

1           (1) the term “Budget and Appropriations  
2           Chairs” means the House Budget and Appropria-  
3           tions Chairs and the Senate Budget and Appropria-  
4           tions Chairs;

5           (2) the term “House Budget and Appropria-  
6           tions Chairs” means the Chair of the Committee on  
7           the Budget of the House of Representatives and the  
8           Chair of the Committee on Appropriations of the  
9           House of Representatives;

10          (3) the term “Member of Congress”—

11                 (A) has the meaning given that term under  
12                 section 2106 of title 5, United States Code; and

13                 (B) does not include the Vice President;  
14                 and

15          (4) the term “Senate Budget and Appropria-  
16           tions Chairs” means the Chairman of the Committee  
17           on the Budget of the Senate and the Chairman of  
18           the Committee on Appropriations of the Senate.

19 **SEC. 3. TIMELY APPROVAL OF CONCURRENT RESOLUTION**  
20                         **ON THE BUDGET AND THE APPROPRIATIONS**  
21                         **BILLS.**

22          Not later than October 1 of each fiscal year, both  
23          Houses of Congress shall—

24                 (1) approve a concurrent resolution on the  
25                 budget as described under section 301 of the Con-

1 gressional Budget and Impoundment Control Act of  
2 1974 (2 U.S.C. 632) for that the fiscal year; and

3 (2) pass all the regular appropriations bills for  
4 that fiscal year.

5 **SEC. 4. NO PAY WITHOUT CONCURRENT RESOLUTION ON**  
6 **THE BUDGET AND THE APPROPRIATIONS**  
7 **BILLS.**

8 (a) IN GENERAL.—Notwithstanding any other provi-  
9 sion of law, no funds may be appropriated or otherwise  
10 be made available from the Treasury of the United States  
11 for the pay of any Member of Congress with respect to  
12 any period during which Congress is not in compliance  
13 with section 3, as determined by the Budget and Appro-  
14 priations Chairs under section 5.

15 (b) NO RETROACTIVE PAY.—A Member of Congress  
16 may not receive pay with respect to any period during  
17 which Congress was not in compliance with section 3, as  
18 determined by the Budget and Appropriations Chairs  
19 under section 5, at any time after the end of that period.

20 **SEC. 5. DETERMINATIONS.**

21 (a) SENATE.—

22 (1) REQUEST FOR CERTIFICATIONS.—On Octo-  
23 ber 1 of each year, the Secretary of the Senate shall  
24 submit to the Senate Budget and Appropriations  
25 Chairs a request for certification of determinations

1 made under subparagraphs (A) and (B) of para-  
2 graph (2).

3 (2) DETERMINATIONS.—The Senate Budget  
4 and Appropriations Chairs shall—

5 (A) on October 1 of each fiscal year, make  
6 a determination of whether Congress is in com-  
7 pliance with section 3 with respect to that fiscal  
8 year and whether Senators may not be paid  
9 under section 4;

10 (B) determine the period of days following  
11 each October 1 that Senators may not be paid  
12 under section 4; and

13 (C) provide timely certification of the de-  
14 terminations under subparagraphs (A) and (B)  
15 upon the request of the Secretary of the Senate.

16 (b) HOUSE OF REPRESENTATIVES.—

17 (1) REQUEST FOR CERTIFICATIONS.—On Octo-  
18 ber 1 of each fiscal year, the Chief Administrative  
19 Officer of the House of Representatives shall submit  
20 to the House Budget and Appropriations Chairs a  
21 request for certification of determinations made  
22 under subparagraphs (A) and (B) of paragraph (2).

23 (2) DETERMINATIONS.—The House Budget  
24 and Appropriations Chairs shall—

1           (A) on October 1 of each fiscal year, make  
2           a determination of whether Congress is in com-  
3           pliance with section 3 with respect to that fiscal  
4           year and whether Members of the House of  
5           Representatives may not be paid under section  
6           4;

7           (B) determine the period of days following  
8           each October 1 that Members of the House of  
9           Representatives may not be paid under section  
10          4; and

11          (C) provide timely certification of the de-  
12          terminations under subparagraphs (A) and (B)  
13          upon the request of the Chief Administrative  
14          Officer of the House of Representatives.

15 **SEC. 6. EFFECTIVE DATE.**

16          This Act shall take effect on September 30, 2025.

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