

119TH CONGRESS
1ST SESSION

S. 45

To reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2025

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, 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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Balanced Budget Accountability Act”.

6 (b) FINDINGS.—Congress finds the following:

1 (1) The Federal debt exceeds
2 \$36,000,000,000,000, continues to grow rapidly, and
3 is larger than the size of the United States economy.

4 (2) The Federal budget has shown an annual
5 deficit in 55 of the last 60 years.

6 (3) Deficits and the Federal debt threaten to
7 shatter confidence in the Nation’s economy, suppress
8 job creation and economic growth, and leave future
9 generations of Americans with a lower standard of
10 living and fewer opportunities.

11 (4) It is the duty of Members of Congress to
12 develop and implement policies, including balancing
13 the Federal budget, that encourage robust job cre-
14 ation and economic growth in the United States.

15 (5) Members of Congress should be held ac-
16 countable for failing to pass annual budgets that re-
17 sult in a balanced budget.

18 **SEC. 2. EFFECT OF FAILURE TO ADOPT RESOLUTION PRO-**
19 **VIDING FOR BALANCED BUDGETS.**

20 (a) DEFINITIONS.—In this section—

21 (1) the term “balanced budget” means a con-
22 current resolution on the budget which provides that
23 for fiscal year 2035, and each fiscal year thereafter
24 to which the concurrent resolution on the budget ap-
25 plies—

1 (A) total outlays do not exceed total re-
2 ceipts; and

3 (B) total outlays are not more than 18
4 percent of the projected gross domestic product
5 of the United States (as determined by the Bu-
6 reau of Economic Analysis of the Department
7 of Commerce) for such fiscal year;

8 (2) the term “Director” means the Director of
9 the Office of Management and Budget;

10 (3) the term “Member” includes a Delegate or
11 Resident Commissioner to Congress; and

12 (4) the “payroll administrator” of a House of
13 Congress means—

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

20 (B) in the case of the Senate, the Sec-
21 retary of the Senate, or an employee of the Of-
22 fice of the Secretary of the Senate who is des-
23 ignated by the Secretary to carry out this sec-
24 tion.

1 (b) DETERMINATION BY THE OFFICE OF MANAGE-
 2 MENT AND BUDGET.—Upon adoption by a House of Con-
 3 gress of a concurrent resolution on the budget for a fiscal
 4 year, the Director shall—

5 (1) determine whether the concurrent resolution
 6 on the budget is a balanced budget; and

7 (2) submit to the Speaker of the House of Rep-
 8 resentatives or the President pro tempore of the
 9 Senate (as the case may be) a certification as to
 10 whether or not that House of Congress has adopted
 11 a balanced budget.

12 (c) RULE FOR FISCAL YEARS 2026 AND 2027.—

13 (1) FISCAL YEAR 2026.—

14 (A) HOLDING SALARIES IN ESCROW.—If
 15 the Director does not certify that a House of
 16 Congress has adopted a balanced budget with
 17 respect to fiscal year 2026 before April 16,
 18 2025, during the period described in subpara-
 19 graph (B) the payroll administrator of that
 20 House of Congress shall deposit in an escrow
 21 account all payments otherwise required to be
 22 made during such period for the compensation
 23 of Members of Congress who serve in that
 24 House of Congress, and shall release such pay-

1 ments to such Members only upon the expira-
2 tion of such period.

3 (B) PERIOD DESCRIBED.—With respect to
4 a House of Congress, the period described in
5 this subparagraph is the period that begins on
6 April 16, 2025, and ends on the earlier of—

7 (i) the date on which the Director cer-
8 tifies that the House of Congress has
9 adopted a balanced budget with respect to
10 fiscal year 2026; or

11 (ii) the last day of the One Hundred
12 Nineteenth Congress.

13 (2) FISCAL YEAR 2027.—

14 (A) HOLDING SALARIES IN ESCROW.—If
15 the Director does not certify that a House of
16 Congress has adopted a balanced budget with
17 respect to fiscal year 2027 before April 16,
18 2026, during the period described in subpara-
19 graph (B) the payroll administrator of that
20 House of Congress shall deposit in an escrow
21 account all payments otherwise required to be
22 made during such period for the compensation
23 of Members of Congress who serve in that
24 House of Congress, and shall release such pay-

1 ments to such Members only upon the expira-
2 tion of such period.

3 (B) PERIOD DESCRIBED.—With respect to
4 a House of Congress, the period described in
5 this subparagraph is the period that begins on
6 April 16, 2026, and ends on the earlier of—

7 (i) the date on which the Director cer-
8 tifies that the House of Congress has
9 adopted a balanced budget with respect to
10 fiscal year 2027; or

11 (ii) the last day of the One Hundred
12 Nineteenth Congress.

13 (3) WITHHOLDING AND REMITTANCE OF
14 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
15 payroll administrator shall provide for the same
16 withholding and remittance with respect to a pay-
17 ment deposited in an escrow account under para-
18 graph (1) or (2) that would apply to the payment if
19 the payment were not subject to paragraph (1) or
20 (2).

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

stitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Nineteenth Congress.

(5) **ROLE OF SECRETARY OF THE TREASURY.**—

The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this subsection.

(d) **RULE FOR FISCAL YEAR 2028 AND SUBSEQUENT FISCAL YEARS.**—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2028, or any fiscal year thereafter, before April 16 of the fiscal year before such fiscal year, during pay periods which occur in the same calendar year after that date each Member of that House shall be paid at an annual rate of pay equal to \$1.

SEC. 3. SUPERMAJORITY REQUIREMENT FOR INCREASING REVENUE.

(a) **IN GENERAL.**—In the Senate and the House of Representatives, a bill, joint resolution, amendment, conference report, or amendment between the Houses that increases revenue shall only be agreed to upon an affirma-

1 tive vote of three-fifths of the Members of that House of
 2 Congress duly chosen and sworn.

3 (b) RULES OF SENATE AND THE HOUSE OF REP-
 4 RESENTATIVES.—Subsection (a) is enacted by Congress—

5 (1) as an exercise of the rulemaking power of
 6 the Senate and House of Representatives, respec-
 7 tively, and as such it is deemed a part of the rules
 8 of each House, respectively, but applicable only with
 9 respect to the procedure to be followed in that
 10 House in the case of a bill, joint resolution, amend-
 11 ment, conference report, or amendment between the
 12 Houses that increases revenue, and it supersedes
 13 other rules only to the extent that it is inconsistent
 14 with such rules; and

15 (2) with full recognition of the constitutional
 16 right of either House to change the rules (so far as
 17 relating to the procedure of that House) at any time,
 18 in the same manner, and to the same extent as in
 19 the case of any other rule of that House.

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