

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide that the pay of Members of Congress shall be held in escrow after October 1 of any fiscal year in which Congress has not passed all regular appropriations bills.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. _____

To establish procedures and consequences in the event of a failure to complete regular appropriations.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCOTT of Florida

Viz:

1 At the end, add the following:

2 **SEC. ____ . NO APPROPRIATIONS, NO PAY.**

3 (a) DEFINITIONS.—In this section:

4 (1) ESCROW PERIOD.—The term “escrow pe-
5 riod” means any period occurring on or after Octo-
6 ber 1 of a fiscal year during which both Houses of
7 Congress have not passed all discretionary appro-
8 priations measures providing appropriations through
9 the end of that fiscal year (which does not include

1 appropriations under section 1311 of title 31,
2 United States Code, as added by this Act).

3 (2) MEMBER OF CONGRESS.—The term “Mem-
4 ber of Congress”—

5 (A) has the meaning given under section
6 2106 of title 5, United States Code; and

7 (B) does not include the Vice President.

8 (3) PAYROLL ADMINISTRATOR.—The term
9 “payroll administrator”, with respect to a House of
10 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 section; 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 igned by the Secretary to carry out this sec-
21 tion.

22 (b) TIMELY APPROVAL OF APPROPRIATIONS
23 BILLS.—With respect to an escrow period, the payroll ad-
24 ministrator of each House of Congress shall—

1 (1) deposit in an escrow account all payments
2 otherwise required to be made during the escrow pe-
3 riod for the compensation of Members of Congress
4 who serve in that House of Congress; and

5 (2) release amounts deposited in an escrow ac-
6 count under paragraph (1) to the applicable Member
7 of Congress at the end of the escrow period.

8 (c) WITHHOLDING AND REMITTANCE OF AMOUNTS
9 FROM PAYMENTS HELD IN ESCROW.—The payroll admin-
10 istrator of each House of Congress shall provide for the
11 same withholding and remittance with respect to a pay-
12 ment deposited in an escrow account under subsection (b)
13 that would apply to the payment if the payment were not
14 subject to subsection (b).

15 (d) DETERMINATIONS.—

16 (1) SENATE.—

17 (A) REQUEST FOR CERTIFICATIONS.—On
18 October 1 of each year, the Secretary of the
19 Senate shall submit a request to the Chairman
20 of the Committee on Appropriations of the Sen-
21 ate for certification of the determinations made
22 under clauses (i) and (ii) of subparagraph (B).

23 (B) DETERMINATIONS.—The Chairman of
24 the Committee on Appropriations of the Senate
25 shall—

1 (i) on October 1 of each year, make a
2 determination of whether an escrow period
3 is in effect and therefore the pay of Sen-
4 ators shall be held in escrow under sub-
5 section (b);

6 (ii) determine the period of days fol-
7 lowing each October 1 that the pay of Sen-
8 ators shall be held in escrow under sub-
9 section (b);

10 (iii) provide timely certification of the
11 determinations under clauses (i) and (ii)
12 upon the request of the Secretary of the
13 Senate; and

14 (iv) submit in writing for the Congres-
15 sional Record the determinations under
16 clauses (i) and (ii).

17 (2) HOUSE OF REPRESENTATIVES.—

18 (A) REQUEST FOR CERTIFICATIONS.—On
19 October 1 of each year, the Chief Administra-
20 tive Officer of the House of Representatives
21 shall submit a request to the Chairman of the
22 Committee on Appropriations of the House of
23 Representatives for certification of the deter-
24 minations made under clauses (i) and (ii) of
25 subparagraph (B).

1 (B) DETERMINATIONS.—The Chairman of
2 the Committee on Appropriations of the House
3 of Representatives shall—

4 (i) on October 1 of each year, make a
5 determination of whether an escrow period
6 is in effect and therefore the pay of Mem-
7 bers of the House of Representatives shall
8 be held in escrow under subsection (b);

9 (ii) determine the period of days fol-
10 lowing each October 1 that the pay of
11 Members of the House of Representatives
12 shall be held in escrow under subsection
13 (b);

14 (iii) provide timely certification of the
15 determinations under clauses (i) and (ii)
16 upon the request of the Chief Administra-
17 tive Officer of the House of Representa-
18 tives; and

19 (iv) submit in writing for the Congres-
20 sional Record the determinations under
21 clauses (i) and (ii).

22 (e) EFFECTIVE DATE.—This section shall take effect
23 on February 1, 2021.