

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide that the pay of Members of Congress shall be held in escrow during periods during which automatic continuing appropriations are in effect.

**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 Ms. SINEMA to the amendment (No. \_\_\_\_\_) proposed by Mr. SCOTT of Florida

Viz:

1 In lieu of the matter proposed to be inserted, insert  
2 the following:

3 **SEC. \_\_\_\_ . PROHIBITING PAYING MEMBERS OF CONGRESS**  
4 **IF AUTOMATIC CONTINUING APPROPRIA-**  
5 **TIONS ARE IN EFFECT.**

6 (a) DEFINITIONS.—In this section—

7 (1) the term “lapse in normal appropriations”  
8 means appropriations are in effect for 1 or more  
9 Federal agencies or departments under section 1311

1 of title 31, United States Code, as added by this Act  
2 (relating to automatic continuing appropriations);

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

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

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

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

21 (b) PROHIBITION.—

22 (1) HOLDING SALARIES IN ESCROW.—If on any  
23 day during a pay period a lapse in normal appro-  
24 priations is in effect, the payroll administrator of  
25 each House of Congress shall—

1           (A) deposit in an escrow account and ex-  
2           clude from the payments otherwise required to  
3           be made with respect to that pay period for the  
4           compensation of each Member of Congress who  
5           serves in that House of Congress an amount  
6           equal to the product of—

7                   (i) the daily rate of pay of the Mem-  
8                   ber of Congress under section 601(a) of  
9                   the Legislative Reorganization Act of 1946  
10                  (2 U.S.C. 4501); and

11                   (ii) the number of 24-hour periods  
12                   during the pay period during which the  
13                   lapse in normal appropriations is in effect;  
14                   and

15           (B) release amounts deposited in an es-  
16           crow account under subparagraph (A) to such  
17           Member of Congress only upon the expiration of  
18           the period described in paragraph (2).

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

21                   (A) begins on the first day on which the  
22                   applicable lapse in normal appropriations is in  
23                   effect; and

24                   (B) ends on the earlier of—

1 (i) the date on which the applicable  
2 lapse in normal appropriations is no longer  
3 in effect; or

4 (ii) the last day of the Congress dur-  
5 ing which the applicable lapse in normal  
6 appropriations began.

7 (3) WITHHOLDING AND REMITTANCE OF  
8 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The  
9 payroll administrator of each House of Congress  
10 shall provide for the same withholding and remit-  
11 tance with respect to a payment deposited in an es-  
12 crow account under paragraph (1) that would apply  
13 to the payment if the payment were not subject to  
14 paragraph (1).

15 (c) ROLE OF SECRETARY OF THE TREASURY.—The  
16 Secretary of the Treasury shall provide the payroll admin-  
17 istrator of each House of Congress with such assistance  
18 as may be necessary to enable the payroll administrator  
19 to carry out this section.