

113TH CONGRESS  
1ST SESSION

# H. R. 3160

To reduce the annual rate of pay of Members of Congress if a Government shutdown occurs during a year, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2013

Mr. COLLINS of New York introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government 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

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## A BILL

To reduce the annual rate of pay of Members of Congress if a Government shutdown occurs during a year, 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.**

4 This Act may be cited as the “Government Shutdown  
5 Fairness Act”.

1 **SEC. 2. REQUIRING REDUCTION OF PAY OF MEMBERS OF**  
2 **CONGRESS IF GOVERNMENT SHUTDOWN OC-**  
3 **CURS.**

4 (a) REDUCTION OF PAY FOR EACH DAY OF GOVERN-  
5 MENT SHUTDOWN.—If on any day during a year a Gov-  
6 ernment shutdown is in effect, the annual rate of pay ap-  
7 plicable under section 601(a) of the Legislative Reorga-  
8 nization Act of 1946 (2 U.S.C. 31) with respect to each  
9 Member of Congress for the year shall be reduced by an  
10 amount equal to the product of—

11 (1) an amount equal to one day’s worth of pay  
12 under such annual rate; and

13 (2) the number of 24-hour periods during which  
14 the Government shutdown is in effect.

15 (b) EFFECTIVE DATE.—This section shall apply with  
16 respect to days occurring after the date of the regularly  
17 scheduled general election for Federal office held in No-  
18 vember 2014.

19 **SEC. 3. SPECIAL RULE FOR ONE HUNDRED THIRTEENTH**  
20 **CONGRESS.**

21 (a) HOLDING SALARIES IN ESCROW.—If on any day  
22 during the One Hundred Thirteenth Congress a Govern-  
23 ment shutdown is in effect, the payroll administrator of  
24 that House of Congress shall—

25 (1) withhold from the payments otherwise re-  
26 quired to be made with respect to a pay period for

1 the compensation of each Member of Congress who  
2 serves in that House of Congress an amount equal  
3 to the product of—

4 (A) an amount equal to one day's worth of  
5 pay under the annual rate of pay applicable to  
6 the Member under section 601(a) of the Legis-  
7 lative Reorganization Act of 1946 (2 U.S.C.  
8 31); and

9 (B) the number of 24-hour periods during  
10 which the Government shutdown is in effect  
11 which occur during the pay period; and

12 (2) deposit in an escrow account all amounts  
13 withheld under paragraph (1).

14 (b) RELEASE OF AMOUNTS AT END OF THE CON-  
15 GRESS.—In order to ensure that this section is carried out  
16 in a manner that shall not vary the compensation of Sen-  
17 ators or Representatives in violation of the Twenty-Sev-  
18 enth Amendment to the Constitution of the United States,  
19 the payroll administrator of a House of Congress shall re-  
20 lease for payments to Members of that House of Congress  
21 any amounts remaining in any escrow account under this  
22 section on the last day of the One Hundred Thirteenth  
23 Congress.

24 (c) ROLE OF SECRETARY OF THE TREASURY.—The  
25 Secretary of the Treasury shall provide the payroll admin-

1 istrators of the Houses of Congress with such assistance  
2 as may be necessary to enable the payroll administrators  
3 to carry out this section.

4 (d) PAYROLL ADMINISTRATOR DEFINED.—In this  
5 section, the “payroll administrator” of a House of Con-  
6 gress means—

7 (1) in the case of the House of Representatives,  
8 the Chief Administrative Officer of the House of  
9 Representatives, or an employee of the Office of the  
10 Chief Administrative Officer who is designated by  
11 the Chief Administrative Officer to carry out this  
12 section; and

13 (2) in the case of the Senate, the Secretary of  
14 the Senate, or an employee of the Office of the Sec-  
15 retary of the Senate who is designated by the Sec-  
16 retary to carry out this section.

17 (e) EXCEPTION FOR DAYS OCCURRING AFTER GEN-  
18 ERAL ELECTION.—This section does not apply with re-  
19 spect to any day during the One Hundred Thirteenth Con-  
20 gress which occurs after the date of the regularly sched-  
21 uled general election for Federal office held in November  
22 2014.

23 **SEC. 4. DETERMINATION OF GOVERNMENT SHUTDOWN.**

24 For purposes of this Act, a Government shutdown  
25 shall be considered to be in effect if there is a lapse in

1 appropriations for any Federal agency or department as  
2 a result of a failure to enact a regular appropriations bill  
3 or continuing resolution.

4 **SEC. 5. MEMBER OF CONGRESS DEFINED.**

5       In this Act, the term “Member of Congress” means  
6 an individual serving in a position under subparagraph  
7 (A), (B), or (C) of section 601(a) of the Legislative Reor-  
8 ganization Act of 1946 (2 U.S.C. 31).

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