

113TH CONGRESS
1ST SESSION

S. 1142

To prohibit Members of Congress from receiving pay when the Federal Government is unable to make payments or meet obligations because the public debt limit has been reached.

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2013

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

A BILL

To prohibit Members of Congress from receiving pay when the Federal Government is unable to make payments or meet obligations because the public debt limit has been reached.

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 “Pay Your Bills or Lose
5 Your Pay Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) It is an American value to meet all obliga-
2 tions.

3 (2) A AAA credit rating is essential to the eco-
4 nomic standing of the United States in the world.

5 (3) The statutory debt limit was increased—

6 (A) 18 times during the presidency of Ron-
7 ald Reagan;

8 (B) 5 times during the presidency of
9 George H. W. Bush;

10 (C) 6 times during the presidency of Wil-
11 liam J. Clinton; and

12 (D) 7 times during the presidency of
13 George W. Bush.

14 (4) Section 4 of the 14th Amendment of the
15 United States Constitution states “the validity of
16 the public debt of the United States, authorized by
17 law, including debts incurred for payment of pen-
18 sions and bounties for services in suppressing insur-
19 rection or rebellion, shall not be questioned”.

20 (5) The statutory debt limit is increased by
21 Congress to pay financial obligations authorized by
22 Congress.

23 (6) The ratings agency Moody’s has called for
24 the public debt limit to be eliminated.

1 (7) The United States is one of the few nations
2 in the world with a public debt limit.

3 (8) The annual budget resolution, voted on by
4 members of the Senate and House of Representa-
5 tives, specifies the appropriate level of the public
6 debt for each fiscal year covered by the resolution.

7 (9) At times the statutory debt limit must be
8 increased to honor financial obligations authorized
9 and appropriated by Congress and the President of
10 the United States.

11 (10) The credit rating agency Standard and
12 Poor's downgraded the credit rating of the United
13 States for the first time in its history on August 5,
14 2011, citing "political brinksmanship" as a primary
15 reason for its action.

16 (11) In July 2012, the Government Account-
17 ability Office estimated that the 2011 debt limit
18 standoff cost taxpayers \$1,300,000,000 in fiscal
19 year 2011, and the Government Accountability Of-
20 fice further noted that "Congress should consider
21 ways to . . . avoid potential disruptions to the
22 Treasury market and to help inform the fiscal policy
23 debate in a timely way."

1 (12) In January 2013, the Bipartisan Policy
2 Center estimated that the 10-year cost to taxpayers
3 of the 2011 debt limit standoff is \$18,900,000,000.

4 **SEC. 3. HOLDING SALARIES OF MEMBERS OF CONGRESS IN**
5 **ESCROW UPON FAILURE TO MEET DEBT OB-**
6 **LIGATIONS.**

7 (a) HOLDING SALARIES IN ESCROW.—

8 (1) IN GENERAL.—If the Federal Government
9 is unable to make payments or meet obligations be-
10 cause the public debt limit under section 3101 of
11 title 31, United States Code, has been reached, dur-
12 ing the period described in paragraph (2) the payroll
13 administrator of each House of Congress shall de-
14 posit in an escrow account all payments otherwise
15 required to be made during such period for the com-
16 pensation of Members of Congress who serve in that
17 House of Congress, and shall release such payments
18 to such Members only upon the expiration of such
19 period.

20 (2) PERIOD DESCRIBED.—The period described
21 in this paragraph is the period beginning on the date
22 on which the Federal Government is unable to make
23 payments or meet obligations because the public
24 debt limit under section 3101 of title 31, United

1 States Code, has been reached, and ending on the
2 earlier of—

3 (A) the date on which the House of Rep-
4 resentatives and the Senate present a bill to the
5 President under article I, section 7 of the Con-
6 stitution of the United States, to increase the
7 public debt limit under section 3101 of title 31,
8 United States Code; or

9 (B) the last day of the One Hundred Thir-
10 teenth Congress.

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

19 (4) RELEASE OF AMOUNTS AT END OF CON-
20 GRESS.—In order to ensure that this section is car-
21 ried out in a manner that shall not vary the com-
22 pensation of Senators or Representatives in violation
23 of the 27th Amendment to the Constitution of the
24 United States, the payroll administrator of a House
25 of Congress shall release for payments to Members

1 of that House of Congress any amounts remaining
2 in any escrow account under this section on the last
3 day of the One Hundred Thirteenth Congress.

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

5 The Secretary of the Treasury shall provide the pay-
6 roll administrators of the Houses of Congress with
7 such assistance as may be necessary to enable the
8 payroll administrators to carry out this section.

9 (b) TREATMENT OF DELEGATES AS MEMBERS.—In
10 this section, the term “Member” includes a Delegate or
11 Resident Commissioner to Congress.

12 (c) PAYROLL ADMINISTRATOR DEFINED.—In this
13 section, the “payroll administrator” of a House of Con-
14 gress means—

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

21 (2) in the case of the Senate, the Secretary of
22 the Senate, or an employee of the Office of the Sec-
23 retary of the Senate who is designated by the Sec-
24 retary to carry out this section.

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