

116TH CONGRESS
1ST SESSION

H. R. 1178

To amend title 31, United States Code, to provide for automatic continuing appropriations, to withhold the pay of Members of Congress during any period in which such automatic continuing appropriations are in effect, to prohibit the use of funds for the official travel of Members of Congress during any period in which such automatic continuing appropriations are in effect, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Mr. SPANO (for himself and Mr. WALTZ) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on House Administration, 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

A BILL

To amend title 31, United States Code, to provide for automatic continuing appropriations, to withhold the pay of Members of Congress during any period in which such automatic continuing appropriations are in effect, to prohibit the use of funds for the official travel of Members of Congress during any period in which such automatic continuing appropriations are in effect, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Deadline Enforcement
3 Act”.

4 **SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS.**

5 (a) IN GENERAL.—Chapter 13 of title 31, United
6 States Code, is amended by inserting after section 1310
7 the following new section:

8 **“SEC. 1311. CONTINUING APPROPRIATIONS.**

9 “(a)(1) If any appropriation measure for a fiscal year
10 is not enacted before the beginning of such fiscal year or
11 a joint resolution making continuing appropriations is not
12 in effect, there are appropriated such sums as may be nec-
13 essary to continue any program, project, or activity for
14 which funds were provided in the preceding fiscal year—

15 “(A) in the corresponding appropriation Act for
16 such preceding fiscal year; or

17 “(B) if the corresponding appropriation bill for
18 such preceding fiscal year did not become law, then
19 in a joint resolution making continuing appropria-
20 tions for such preceding fiscal year.

21 “(2)(A) Except as provided in subparagraph (C), ap-
22 propriations and funds made available, and authority
23 granted, for a program, project, or activity for any fiscal
24 year pursuant to this section shall be at a rate of oper-
25 ations not in excess of the lower of—

1 “(i) 99 percent of the rate of operations provided for
2 in the regular appropriation Act providing for such pro-
3 gram, project, or activity for the preceding fiscal year;

4 “(ii) in the absence of such an Act, 99 percent of
5 the rate of operations provided for such program, project,
6 or activity pursuant to a joint resolution making con-
7 tinuing appropriations for such preceding fiscal year; or

8 “(iii) 99 percent of the annualized rate of operations
9 provided for in the most recently enacted joint resolution
10 making continuing appropriations for part of that fiscal
11 year or any funding levels established under the provisions
12 of this section.

13 “(B) Except as provided in subparagraph (C), after
14 the first 30-day period during which this subsection is in
15 effect for that fiscal year, the applicable rate of operations
16 as provided under subparagraph (A) shall be reduced by
17 1 percentage point. For each subsequent 30-day period
18 during which this subsection is in effect for that fiscal
19 year, the applicable rate of operations shall be reduced by
20 1 percentage point. The 30-day period reductions shall ex-
21 tend beyond the last day of that fiscal year.

22 “(C) The reductions provided by subparagraphs (A)
23 and (B) shall not apply to any discretionary appropriation
24 in budget function 050 made available pursuant to this
25 section. Clause (i), (ii), or (iii) (as the case may be) of

1 subparagraph (A) shall be applied to any such appropria-
2 tion by substituting ‘100 percent’ for ‘99 percent’.

3 “(D) If this section is in effect at the end of a fiscal
4 year, funding levels shall continue as provided in this sec-
5 tion for the next fiscal year.

6 “(3) Appropriations and funds made available, and
7 authority granted, for any fiscal year pursuant to this sec-
8 tion for a program, project, or activity shall be available
9 for the period beginning with the first day of a lapse in
10 appropriations and ending with the date on which the ap-
11 plicable regular appropriation bill for such fiscal year be-
12 comes law (whether or not such law provides for such pro-
13 gram, project, or activity) or a continuing resolution mak-
14 ing appropriations becomes law, as the case may be.

15 “(b) An appropriation or funds made available, or au-
16 thority granted, for a program, project, or activity for any
17 fiscal year pursuant to this section shall be subject to the
18 terms and conditions imposed with respect to the appro-
19 priation made or funds made available for the preceding
20 fiscal year, or authority granted for such program, project,
21 or activity under current law.

22 “(c) Expenditures made for a program, project, or
23 activity for any fiscal year pursuant to this section shall
24 be charged to the applicable appropriation, fund, or au-
25 thorization whenever a regular appropriation bill or a joint

1 resolution making continuing appropriations until the end
2 of a fiscal year providing for such program, project, or
3 activity for such period becomes law.

4 “(d) This section shall not apply to a program,
5 project, or activity during a fiscal year if any other provi-
6 sion of law (other than an authorization of appropri-
7 ations)—

8 “(1) makes an appropriation, makes funds
9 available, or grants authority for such program,
10 project, or activity to continue for such period; or

11 “(2) specifically provides that no appropriation
12 shall be made, no funds shall be made available, or
13 no authority shall be granted for such program,
14 project, or activity to continue for such period.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 of chapter 13 of title 31, United States Code, is amended
17 by inserting after the item relating to section 1310 the
18 following new item:

“1311. Continuing appropriations.”.

19 **SEC. 3. PROHIBITING PAYING MEMBERS OF CONGRESS**
20 **WHILE AUTOMATIC CONTINUING APPRO-**
21 **PRIATIONS ARE IN EFFECT.**

22 (a) RULE FOR ONE HUNDRED SIXTEENTH CON-
23 GRESS.—

24 (1) HOLDING SALARIES IN ESCROW.—If a pay
25 period occurs during the One Hundred Sixteenth

1 Congress during the period described in paragraph
2 (2), the payroll administrator of each House of Con-
3 gress shall—

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

10 (i) the daily rate of pay of the Mem-
11 ber under section 601(a) of the Legislative
12 Reorganization Act of 1946 (2 U.S.C.
13 4501); and

14 (ii) the number of 24-hour periods
15 during the pay period; and

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

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

22 (A) begins on the 1st day on which appro-
23 priations and funds are made available pursu-
24 ant to section 1311 of title 31, United States
25 Code (as added by section 2(a)); and

1 (B) ends on the earlier of—

2 (i) the date on which appropriations
3 and funds are no longer made available
4 pursuant to section 1311 of such title; or

5 (ii) the last day of the One Hundred
6 Sixteenth Congress.

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 (4) RELEASE OF AMOUNTS AT END OF THE
16 CONGRESS.—In order to ensure that this subsection
17 is carried out in a manner that shall not vary the
18 compensation of Senators or Representatives in vio-
19 lation of the twenty-seventh amendment to the Con-
20 stitution of the United States, the payroll adminis-
21 trator of a House of Congress shall release for pay-
22 ment to Members of that House of Congress any
23 amounts remaining in any escrow account under this
24 section on the last day of the One Hundred Six-
25 teenth Congress.

1 (b) SUBSEQUENT CONGRESSES.—

2 (1) REDUCTION IN SALARIES.—If a pay period
3 occurs during the One Hundred Seventeenth Con-
4 gress or any succeeding Congress during the period
5 described in paragraph (2), the payroll administrator
6 of each House of Congress shall exclude from the
7 payments otherwise required to be made with re-
8 spect to that pay period for the compensation of
9 each Member of Congress who serves in that House
10 of Congress an amount equal to the product of—

11 (A) the daily rate of pay of the Member
12 under section 601(a) of the Legislative Reorga-
13 nization Act of 1946 (2 U.S.C. 4501); and

14 (B) the number of 24-hour periods during
15 the pay period.

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

18 (A) begins on the 1st day on which appro-
19 priations and funds are made available pursu-
20 ant to section 1311 of title 31, United States
21 Code (as added by section 2(a)); and

22 (B) ends on the date on which appropria-
23 tions and funds are no longer made available
24 pursuant to section 1311 of such title.

1 (c) **ROLE OF SECRETARY OF THE TREASURY.**—The
2 Secretary of the Treasury shall provide the payroll admin-
3 istrator of each House of Congress with such assistance
4 as may be necessary to enable the payroll administrator
5 to carry out this section.

6 (d) **DEFINITION.**—In this section, the term “payroll
7 administrator”, with respect to a House of Congress,
8 means—

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

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

19 **SEC. 4. PROHIBITING USE OF FUNDS FOR TRAVEL BY MEM-**
20 **BERS OF CONGRESS WHILE AUTOMATIC CON-**
21 **TINUING APPROPRIATIONS ARE IN EFFECT.**

22 (a) **PROHIBITION.**—During the period described in
23 subsection (b), no appropriated funds, including official
24 funds of the House of Representatives, official funds of
25 the Senate, or funds available under any Federal law, rule,

1 or regulation, may be used to pay for the costs of travel
2 by a Member of Congress.

3 (b) PERIOD DESCRIBED.—The period described in
4 this paragraph is the period that—

5 (1) begins on the 1st day on which appropria-
6 tions and funds are made available pursuant to sec-
7 tion 1311 of title 31, United States Code (as added
8 by section 2(a)); and

9 (2) ends on the date on which appropriations
10 and funds are no longer made available pursuant to
11 section 1311 of such title.

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

13 In this Act, the term “Member of Congress” means
14 a Senator or a Representative in, or Delegate or Resident
15 Commissioner to, the Congress.

○