

NO BUDGET, NO PAY ACT

Frequently Asked Questions

Congress should be held accountable for not fulfilling its duties. The No Budget, No Pay Act says that if Congress doesn't pass its budget and all its appropriations bills by October 1st every year, then Congress doesn't get paid. Retroactive pay isn't an option. Once pay is withheld, it's gone for good. Threatening to stop paying Congress is the surest way to make sure we beat the annual October 1st deadline.

Tennesseans work hard for their paychecks, and so must Congress. Members of Congress shouldn't be getting paid if they can't do their work. Bottom line: no budget, no pay.

Why is the No Budget, No Pay Act needed?

Congress needs additional accountability for consistently failing to fulfill its duties. Passing a budget and appropriations bills are basic responsibilities of Congress. However, Congress has not adopted a budget in more than 950 days. And over the past 36 years, Congress has passed its appropriations bills on-time only 4 times, and has failed to pass its appropriations bills on-time for the 15th straight year.

Doesn't the U.S. Constitution require that Members of Congress be paid?

Yes. According to *Article I, Section 6* of the U.S. Constitution, "Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

Constitutional scholars say this language guarantees Congress is responsible for setting its own compensation to be paid out of the U.S. Treasury, not a salary that would be set by or paid by States. However, Congress has the jurisdiction and responsibility to establish the parameters of its compensation – including a period of time that pay would be suspended based on failure to do its job.

Why is an effective date necessary and why is the effective date February 1, 2013?

The 27th Amendment to the U.S. Constitution prohibits changing the compensation for Members of Congress from taking effect until after the next election. A February 1, 2013 effective date ensures that the transition from the 112th to the 113th Congress has taken place and the No Budget, No Pay Act will not violate the 27th Amendment.