

117TH CONGRESS
2D SESSION

H. R. 7135

To provide that the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2022 by April 15, 2021, to eliminate automatic pay adjustments for Members of Congress, to prohibit the use of funds provided for the official travel expenses of Members of Congress and other officers and employees of the legislative branch for first-class airline accommodations, and to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2022

Mr. O'HALLERAN introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Oversight and 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

A BILL

To provide that the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2022 by April 15, 2021, to eliminate automatic pay adjustments for Members of Congress, to prohibit the use of funds provided for the official travel expenses of Members of Congress and other officers and employees of the legislative branch for first-class airline accommodations, and to amend title 18, United States Code,

to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress.

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 “No Ongoing Perks En-
 5 richment Act” or the “NOPE Act”.

6 **SEC. 2. HOLDING SALARIES OF MEMBERS OF CONGRESS IN**
 7 **ESCROW UPON FAILURE TO AGREE TO BUDG-**
 8 **ET RESOLUTION.**

9 (a) HOLDING SALARIES IN ESCROW.—

10 (1) IN GENERAL.—If by April 15, 2021, a
 11 House of Congress has not agreed to a concurrent
 12 resolution on the budget for fiscal year 2022 pursu-
 13 ant to section 301 of the Congressional Budget Act
 14 of 1974, during the period described in paragraph
 15 (2) the payroll administrator of that House of Con-
 16 gress shall deposit in an escrow account all pay-
 17 ments otherwise required to be made during such
 18 period for the compensation of Members of Congress
 19 who serve in that House of Congress, and shall re-
 20 lease such payments to such Members only upon the
 21 expiration of such period.

22 (2) PERIOD DESCRIBED.—With respect to a
 23 House of Congress, the period described in this

1 paragraph is the period which begins on April 16,
2 2021, and ends on the earlier of—

3 (A) the day on which the House of Con-
4 gress agrees to a concurrent resolution on the
5 budget for fiscal year 2022 pursuant to section
6 301 of the Congressional Budget Act of 1974;
7 or

8 (B) the last day of the One Hundred Sev-
9 enteenth Congress.

10 (3) WITHHOLDING AND REMITTANCE OF
11 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
12 payroll administrator shall provide for the same
13 withholding and remittance with respect to a pay-
14 ment deposited in an escrow account under para-
15 graph (1) that would apply to the payment if the
16 payment were not subject to paragraph (1).

17 (4) RELEASE OF AMOUNTS AT END OF THE
18 CONGRESS.—In order to ensure that this section is
19 carried out in a manner that shall not vary the com-
20 pensation of Senators or Representatives in violation
21 of the twenty-seventh article of amendment to the
22 Constitution of the United States, the payroll ad-
23 ministrator of a House of Congress shall release for
24 payments to Members of that House of Congress
25 any amounts remaining in any escrow account under

1 this section on the last day of the One Hundred Sev-
2 enteenth Congress.

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

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

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

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

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

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

1 **SEC. 3. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS**
2 **FOR MEMBERS OF CONGRESS.**

3 (a) IN GENERAL.—Paragraph (2) of section 601(a)
4 of the Legislative Reorganization Act of 1946 (2 U.S.C.
5 4501) is repealed.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
7 Section 601(a)(1) of such Act (2 U.S.C. 4501(1)) is
8 amended—

9 (1) by striking “(a)(1)” and inserting “(a)”;

10 (2) by redesignating subparagraphs (A), (B),
11 and (C) as paragraphs (1), (2), and (3), respectively;
12 and

13 (3) by striking “as adjusted by paragraph (2)”
14 and inserting “adjusted as provided by law”.

15 (c) EFFECTIVE DATE.—This section and the amend-
16 ments made by this section shall take effect December 31,
17 2020.

18 **SEC. 4. PROHIBITING USE OF FUNDS FOR OFFICIAL TRAV-**
19 **EL EXPENSES OF MEMBERS OF CONGRESS**
20 **AND LEGISLATIVE BRANCH EMPLOYEES FOR**
21 **AIRLINE ACCOMMODATIONS OTHER THAN**
22 **COACH CLASS.**

23 (a) PROHIBITION.—Except as provided in subsection
24 (b), no funds appropriated or otherwise made available for
25 the official travel expenses of a Member of Congress or
26 other officer or employee of any office in the legislative

1 branch may be used for airline accommodations which are
2 not coach-class accommodations.

3 (b) EXCEPTIONS.—Funds described in subsection (a)
4 may be used for airline accommodations which are not
5 coach-class accommodations for an individual described in
6 subsection (a) if the use of the funds for such accommoda-
7 tions would be permitted under sections 301–10.121
8 through 301–10.125 of title 41 of the Code of Federal
9 Regulations if the individual were an employee of an agen-
10 cy which is subject to chapter 301 of such title.

11 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion may be construed to affect any officer or employee
13 of an office of the legislative branch which, as of the date
14 of the enactment of this Act, is subject to chapter 301
15 of title 41 of the Code of Federal Regulations.

16 (d) DEFINITIONS.—

17 (1) COACH-CLASS ACCOMMODATIONS.—In this
18 section, the term “coach-class accommodations”
19 means the basic class of accommodation by airlines
20 that is normally the lowest fare offered regardless of
21 airline terminology used, and (as referred to by air-
22 lines) may include tourist class or economy class, as
23 well as single class when the airline offers only one
24 class of accommodations to all travelers.

1 (2) MEMBER OF CONGRESS.—In this section,
2 the term “Member of Congress” means a Senator or
3 a Representative in, or Delegate or Resident Com-
4 missioner to, the Congress.

5 (e) EFFECTIVE DATE.—This section shall apply with
6 respect to fiscal year 2022 and each succeeding fiscal year.

7 **SEC. 5. 5-YEAR POST-EMPLOYMENT BAN ON LOBBYING BY**
8 **FORMER MEMBERS OF CONGRESS.**

9 (a) FORMER SENATORS.—Subparagraph (A) of sec-
10 tion 207(e)(1) of title 18, United States Code, is amended
11 by striking “within 2 years after that person leaves office”
12 and inserting “within 5 years after that person leaves of-
13 fice”.

14 (b) FORMER MEMBERS OF THE HOUSE OF REP-
15 RESENTATIVES.—Paragraph (1) of section 207(e) of such
16 title is amended by striking subparagraph (B) and insert-
17 ing the following:

18 “(B) MEMBERS OF THE HOUSE OF REP-
19 RESENTATIVES.—Any person who is a Member
20 of the House of Representatives and who, with-
21 in 5 years after that person leaves office, know-
22 ingly makes, with the intent to influence, any
23 communication to or appearance before any
24 Member, officer, or employee of either House of
25 Congress and any employee of any other legisla-

1 tive office of the Congress, on behalf of any
2 other person (except the United States) in con-
3 nection with any matter on which such former
4 Member seeks action by a Member, officer, or
5 employee of either House of Congress, in his or
6 her official capacity, shall be punished as pro-
7 vided in section 216 of this title.

8 “(C) OFFICERS OF THE HOUSE OF REP-
9 RESENTATIVES.—Any person who is an elected
10 officer of the House of Representatives and
11 who, within 1 year after that person leaves of-
12 fice, knowingly makes, with the intent to influ-
13 ence, any communication to or appearance be-
14 fore any Member, officer, or employee of the
15 House of Representatives, on behalf of any
16 other person (except the United States) in con-
17 nection with any matter on which such former
18 elected officer seeks action by a Member, offi-
19 cer, or employee of either House of Congress, in
20 his or her official capacity, shall be punished as
21 provided in section 216 of this title.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to any individual who,
24 on or after the date of the enactment of this Act, leaves

- 1 an office to which section 207(e)(1) of title 18, United
- 2 States Code, applies.

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