

106TH CONGRESS
2ND SESSION

S. 83

To protect our checks and balances

IN THE SENATE OF THE UNITED STATES
June 16, 2025

Mr. warlockings (for himself, Representative TexBradshaw, Representative EdmundCarter, Representative IggysThe_Fool, Representative FordF150_S, Senator AgUILABread, Senator victorluss, Senator Mr_Choo) introduced the following act; which was referred to the Committee on Government Accountability

A BILL

To protect our checks and balances

Be it enacted by the Senate and House of Representatives of the United States in Congress Assembled.

SECTION I. PROTECTING OUR CHECKS AND BALANCES ACT

This Act may be cited as the “Protecting Our Checks and Balances Act”. This Act may be informally known as “The Bathacuss Act”.

SEC. 2. PURPOSE

To preserve the constitutional principles of separation of powers and prevent undue executive influence over the legislative process by prohibiting individuals serving directly under the President or Vice President of the United States from concurrently serving in Congress.

SEC. 3. DEFINITIONS

For the purposes of this Act, the following definitions shall apply:

1. **“Congress”** refers to both the House of Representatives and the Senate of the United States.
2. **“Executive Office of the President”** includes, and is limited to:
 - The White House Chief of Staff
 - The Principal Deputy Chief of Staff
 - The Deputy Chief of Staff
3. **“Office of the Vice President”** includes, and is limited to:
 - The Chief of Staff to the Vice President
 - The Deputy Chief of Staff to the Vice President
4. **“Serving directly under”** shall be defined as:
 - Any individual officially appointed or employed by the President or Vice President to serve in a “chief of staff” role within the Executive Office of the President or Vice President, whether through nomination, executive order, or staff appointment.

SEC. 4. PROHIBITION ON DUAL OFFICEHOLDING

1. No person currently serving in any role defined under Section 3 as part of the Executive Office of the President or the Office of the Vice President shall be eligible to:

- Run for election to the House of Representatives or Senate, or
 - Hold a seat in either chamber of Congress.
2. Any individual currently serving in Congress who accepts an appointment to a position within the Executive Office of the President or Vice President shall:
- Be automatically required to vacate their seat in Congress upon formal acceptance of the executive appointment.

SEC 5. ENFORCEMENT AND PENALTIES

1. The Department of Justice and/or the Office of the Clerk of each chamber shall be responsible for identifying violations and enforcing compliance.
2. Any member found to be in violation of this Act shall:
 - Be immediately removed from Congress or the Executive position, depending on the sequence of appointment or election.
 - Be barred from holding elected Congressional office for the remainder of the ongoing session of Congress.

SEC. 6. EXEMPTIONS AND CLARIFICATIONS

1. This Act shall not apply retroactively to individuals serving in both branches prior to the passage of this legislation. However, upon the conclusion of their current term or appointment, compliance is mandatory.
2. Advisors or volunteers who do not hold formal, official positions recognized by Executive Order, Presidential Memorandum, or public staff announcement shall not be considered “serving directly under” unless otherwise designated by the President or Vice President.

SEC. 7. SEVERABILITY

1. Any part of any act, joint resolution, memorandum or codified law that conflicts with this Act shall be deemed null and void.
2. This Act shall be severable, in which, if any provision of this Act is found unconstitutional, the rest of the Act shall be in full effect unless also found unconstitutional.

SEC 8. EFFECTIVE DATE

This Act shall take effect immediately upon enactment.