

AMENDMENT TO H.R. 2617
(CONSOLIDATED APPROPRIATIONS ACT, 2023)
OFFERED BY MR. PERLMUTTER OF COLORADO

At the end of title II of division I, before the short title insert the following:

1 27TH AMENDMENT ENFORCEMENT ACT

2 SEC. 212. (a) SHORT TITLE.—This section may be
3 cited as the “27th Amendment Enforcement Act”.

4 (b) FINDINGS; SENSE OF CONGRESS.—

5 (1) FINDINGS.—Congress finds the following:

6 (A) Under a longstanding law, the annual
7 rates of pay for Members of Congress are sub-
8 ject to cost-of-living adjustments whenever the
9 President adjusts the annual rates of pay appli-
10 cable to Federal employees covered by the Gen-
11 eral Schedule.

12 (B) The 27th Amendment to the Constitu-
13 tion of the United States, ratified in 1992, pro-
14 hibits any law “varying the compensation of
15 Senators and Representatives” from taking ef-
16 fect until after the next regularly scheduled
17 general election for Members of the House of
18 Representatives.

1 (C) Since the 27th Amendment was rati-
2 fied, on over a dozen occasions Congress has
3 enacted a law to prohibit these cost-of-living ad-
4 justments from taking effect, which means that
5 each of these laws has varied the compensation
6 of Members of Congress from what the com-
7 pensation would have been if these laws had not
8 been enacted.

9 (D) In nearly every instance, each of these
10 laws took effect prior to the next election for
11 Members of the House, in violation of the 27th
12 Amendment.

13 (2) SENSE OF CONGRESS.—It is the sense of
14 Congress that, in order to provide relief from the
15 changes which were made to the annual rates of pay
16 of Members of Congress by laws which were in viola-
17 tion of the 27th Amendment, the adjustments which
18 were prohibited by these laws must be restored.

19 (c) RESTORING COST-OF-LIVING ADJUSTMENTS IN
20 RATES OF PAY OF MEMBERS OF CONGRESS.—

21 (1) RESTORATION.—Section 601(a) of the Leg-
22 islative Reorganization Act of 1946 (2 U.S.C. 4501)
23 is amended—

1 (A) in paragraph (1), by striking “as ad-
2 justed by paragraph (2)” and inserting “as ad-
3 justed by paragraphs (2) and (3)”; and

4 (B) by adding at the end the following new
5 paragraph:

6 “(3) The annual rate of pay for the positions de-
7 scribed in paragraph (1) shall be the rate which would
8 have applied to such positions during the most recent pay
9 period beginning before the date of the enactment of this
10 paragraph if no laws had been enacted prior to such date
11 to prohibit adjustments to such rate under paragraph
12 (2).”.

13 (2) DETERMINATION AND PUBLICATION OF
14 RATES.—Not later than 60 days after the date of
15 the enactment of this Act, the Chief Administrative
16 Officer of the House of Representatives and the Sec-
17 retary of the Senate shall determine and publish the
18 annual rates of pay for the positions described in
19 paragraph (1) of section 601(a) of the Legislative
20 Reorganization Act of 1946 (2 U.S.C. 4501) and the
21 date on which such rates shall take effect, taking
22 into account the amendments made by paragraph
23 (1).

