

103^D CONGRESS
1ST SESSION

H. R. 1138

To restructure the Federal budget process.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1993

Mr. ORTON (for himself, Mr. BACCHUS of Florida, Mr. CONDIT, Mr. INGLIS of South Carolina, Mr. MCCOLLUM, Mr. PETERSON of Minnesota, Mr. POSHARD, Mr. SHEPHERD, Mr. STENHOLM, and Mr. ZELIFF) introduced the following bill; which was referred jointly to the Committees on Government Operations, Rules, and Public Works and Transportation

A BILL

To restructure the Federal budget process.

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 “Comprehensive Budget
5 Process Reform Act of 1993”.

1 **TITLE I—BALANCED BUDGET**
2 **WITH ENFORCEMENT; MAN-**
3 **DATORY CONSIDERATION OF**
4 **PRESIDENT’S BUDGET**

5 **SEC. 101. SUBMISSION OF BALANCED BUDGET BY THE**
6 **PRESIDENT.**

7 Section 1105 of title 31, United States Code, is
8 amended by inserting at the end the following new sub-
9 sections:

10 “(g) Any budget submitted to Congress pursuant to
11 subsection (a) for the 1996–1997 biennium shall be a
12 budget for that biennium and the ensuing biennium that
13 provides for a balanced budget for the 1998 fiscal year
14 and subsequent fiscal years. Any budget submitted to Con-
15 gress pursuant to subsection (a) for a fiscal year after the
16 1996–1997 biennium shall be a budget that provides for
17 a balanced budget for that fiscal year and the ensuing
18 fiscal years.”.

19 **SEC. 102. REPORTING OF BALANCED BUDGETS.**

20 Section 301 of the Congressional Budget Act of 1974
21 is amended by inserting at the end the following new sub-
22 section:

23 “(j) REPORTING OF BALANCED BUDGETS.—Any con-
24 current resolution on the budget for the 1996–1997 bien-
25 nium as reported by the Committee on the Budget of each

1 House, shall set forth appropriate levels for the biennium
2 beginning on October 1 of the calendar year in which it
3 is reported and for the ensuing biennium for the matters
4 described in section 301(a) that provides for a balanced
5 budget by the 1998 fiscal year and the ensuing fiscal
6 years. Any concurrent resolution on the budget for the
7 1998–1999 biennium or any ensuing biennium, as re-
8 ported by the Committee on the Budget of each House,
9 shall set forth appropriate levels for the biennium begin-
10 ning on October 1 of the calendar year in which it is re-
11 ported and for each of the ensuing biennium for the mat-
12 ters described in section 301(a) that provides for a bal-
13 anced budget for fiscal year 1998 and the ensuing fiscal
14 years.

15 “(k) CONSIDERATION OF BALANCED BUDGETS.—It
16 shall not be in order in the House of Representatives or
17 the Senate to consider any concurrent resolution on the
18 budget for the 1996–1997 biennium that does not provide
19 for a balanced budget by fiscal year 1998 and the ensuing
20 fiscal years. It shall not be in order in the House of Rep-
21 resentatives or the Senate to consider any concurrent reso-
22 lution on the budget for the 1998–1999 biennium or any
23 ensuing biennium that does not provide for a balanced
24 budget for fiscal year 1998 and the ensuing fiscal years.”.

1 **SEC. 103. PROCEDURE IN THE HOUSE OF REPRESENTA-**
2 **TIVES.**

3 Section 305(a) of the Congressional Budget Act of
4 1974 is amended by inserting at the end the following:

5 “(8)(A) If the Committee on Rules of the
6 House of Representatives reports any rule or order
7 providing for the consideration of any concurrent
8 resolution on the budget for a biennium, then it
9 shall also, within the same rule or order, provide
10 for—

11 “(i) the consideration of the text of any
12 concurrent resolution on the budget for that bi-
13 ennium reported by the Committee on the
14 Budget of the House of Representatives pursu-
15 ant to section 301(j); and

16 “(ii) the consideration of the text of each
17 concurrent resolution on the budget as intro-
18 duced by the majority leader pursuant to sub-
19 paragraph (B);

20 and such rule or order shall assure that a separate
21 vote occurs on each such budget.

22 “(B) The majority leader of the House of Rep-
23 resentatives shall introduce a concurrent resolution
24 on the budget reflecting, without substantive revi-
25 sion, the budget submitted by the President pursu-

1 ant to section 1105(g) of title 31, United States
2 Code, as soon as practicable after its submission.”.

3 **SEC. 104. PROCEDURE IN THE SENATE.**

4 Section 305(b) of the Congressional Budget Act of
5 1974 is amended by inserting at the end the following:

6 “(7) Notwithstanding any other rule, it shall al-
7 ways be in order in the Senate to consider an
8 amendment to a concurrent resolution on the budget
9 for a biennium comprising the text of any budget
10 submitted by the President for that biennium as de-
11 scribed in section 1105(g) of title 31, United States
12 Code.”.

13 **SEC. 105. OMB DEFICIT FORECAST.**

14 (a) OMB REPORT OF ESTIMATED DEFICIT.—Not
15 later than September 1 of each calendar year, the Director
16 of the Office of Management and Budget shall submit to
17 Congress a report setting forth a current estimate of the
18 surplus or deficit in the budget for the Federal Govern-
19 ment for the fiscal year ending on September 30 of that
20 calendar year.

21 (b) OMB REPORT OF ACTUAL DEFICIT.—Not later
22 than October 15 of each calendar year, the Director of
23 the Office of Management and Budget shall submit to
24 Congress a report setting forth the actual surplus or defi-

1 cit in the budget for the Federal Government for the fiscal
2 year ending on September 30 of that calendar year.

3 (c) CALCULATIONS OF DEFICITS.— Any calculation
4 made by OMB for a fiscal year to carry out this section
5 shall not include any spending decreases or revenue in-
6 creases made pursuant to section 106 with respect to any
7 prior fiscal year.

8 **SEC. 106. REPAYMENT OF PRIOR BIENNIUM'S DEFICIT.**

9 (a) RECONCILIATION LEGISLATION.—If the report
10 sent to Congress under section 105(b) for a fiscal year
11 indicates that there was a deficit in that fiscal year, then,
12 before the end of that session of Congress, Congress shall
13 either—

14 (1) eliminate that deficit through the enactment
15 of reconciliation legislation; or

16 (2) waive the requirement to eliminate that def-
17 icit through the enactment of legislation (which shall
18 be approved on final passage by each House of Con-
19 gress by a recorded vote) the sole purpose of which
20 is to waive that requirement for that biennium.

21 (b) LOOK-BACK ENFORCEMENT.—If Congress ad-
22 journs to end a session without complying with subsection
23 (a) for a fiscal year, then there shall be a sequestration
24 to offset the amount of the deficit for that fiscal year. The
25 amount required to be sequestered shall be obtained by

1 reducing all accounts of the Government by a uniform per-
2 centage, except that no reduction of—

3 (1) payments for net interest (all of major func-
4 tional category 900); or

5 (2) benefits payable under the old-age, survi-
6 vors, and disability insurance program established
7 under title II of the Social Security Act;

8 shall be made. This sequestration shall be implemented
9 by the issuance of an order by the President. This order
10 shall be effective on issuance.

11 **SEC. 107. EFFECTIVE DATE.**

12 This title and the amendments made by it shall be-
13 come effective for the concurrent resolution on the budget
14 for the 1996–1997 biennium and shall be fully reflected
15 in the budget for the 1996–1997 biennium required to be
16 submitted by the President in 1995 as required by section
17 1105(a) of title 31, United States Code.

18 **TITLE II—BIENNIAL BUDGET**

19 **SEC. 201. FINDINGS AND PURPOSE.**

20 (a) FINDINGS.—The Congress finds and declares
21 that the present annual Federal budgeting process—

22 (1) allows insufficient time for the fulfillment
23 by the Congress of its legislative and oversight
24 responsibilities;

1 (2) allows insufficient time for the review and
2 consideration by the Congress of authorizing legisla-
3 tion, budget resolutions, and appropriation bills and
4 resolutions and other spending measures;

5 (3) allows insufficient time for the evaluation of
6 costly and complicated Federal programs, and there-
7 by contributes to the unrestrained growth of the
8 Federal budget; and

9 (4) allows insufficient time for agencies and
10 State and local governments to plan for the imple-
11 mentation of programs.

12 (b) PURPOSE.—It is the purpose of this title—

13 (1) to establish a process through which the
14 Federal budget will be adopted for a two-year
15 period;

16 (2) to improve congressional control over the
17 Federal budget process;

18 (3) to streamline the requirements of the budg-
19 et process in order to promote better accountability
20 to the public;

21 (4) to improve the legislative and budgetary
22 processes by providing additional time for congres-
23 sional oversight and other vital legislative activities;

24 (5) to provide stability and coherence for recipi-
25 ents of Federal funds; and

1 (6) to implement other improvements in the
2 Federal budget process.

3 **SEC. 202. REVISION OF TIMETABLE.**

4 Section 300 of the Congressional Budget Act of 1974
5 (2 U.S.C. 631) is amended to read as follows:

6 "TIMETABLE

7 "SEC. 300. The timetable with respect to the Con-
8 gressional budget process for any Congress (beginning
9 with the One Hundred Third Congress) is as follows:

"First Session

"On or before:	Action to be completed:
First Monday in Feb- ruary	President submits budget recommendations.
February 15	Congressional Budget Office submits report to Budget Committees.
February 25	Committees submit views and estimates to Budget Committees.
March 31	Senate Budget Committee reports concurrent resolution on the biennial budget.
April 15	Congress completes action on concurrent reso- lution on the biennial budget.
May 15	Biennial appropriation bills may be considered in the House.
June 10	House Appropriations Committee reports last biennial appropriation bill.
September 1	OMB submits report setting forth estimate of surplus/deficit for current fiscal year.
September 30	Congress completes action on reconciliation legislation.
September 30	Congress completes action on biennial appro- priation bills.
October 1	Biennium begins.
October 15	OMB submits report setting forth actual sur- plus/deficit for fiscal year ending Septem- ber 30.

"Second Session

"On or before:	Action to be completed:
May 15	Congressional Budget Office submits report to Budget Committees.
September 1	OMB submits report setting forth estimate of surplus/deficit for current fiscal year.

“Second Session—Continued

October 15 OMB submits report setting forth actual surplus/deficit for fiscal year ending September 30.

The last day of the session Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.”.

1 **SEC. 203. AMENDMENTS TO THE CONGRESSIONAL BUDGET**

2 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

3 (a) AMENDMENT OF THE CONGRESSIONAL BUDGET
4 ACT OF 1974.—Whenever in this section an amendment
5 or repeal is expressed in terms of an amendment to, or
6 repeal of, a section or other provision, the references shall
7 be to a section or other provision of the Congressional
8 Budget Act of 1974.

9 (b) DECLARATION OF PURPOSE.—Section 2(2) (2
10 U.S.C. 621(2)) is amended by striking “each year” and
11 inserting “biennially”.

12 (c) DEFINITIONS.—

13 (1) Section 3(4) (2 U.S.C. 622(4)) is amended
14 by striking “fiscal year” each place it appears and
15 inserting “biennium”.

16 (2) Section 3 (2 U.S.C. 622) is further amend-
17 ed by adding at the end thereof the following new
18 paragraph:

19 “(11) The term ‘biennium’ means the period of
20 2 consecutive fiscal years beginning on October 1 of
21 any odd-numbered year.”.

1 (d) DUTIES OF CBO.—

2 (1) Section 202(f)(1) (2 U.S.C. 602(f)(1)) is
3 amended—

4 (A) by striking “February 15 of each
5 year” and inserting “February 15 of each odd-
6 numbered calendar year”;

7 (B) by striking “the fiscal year commenc-
8 ing” and inserting “each fiscal year in the bien-
9 nium commencing”;

10 (C) by striking “such fiscal year” the first
11 place it appears and inserting “such biennium”;
12 and

13 (D) by striking “such fiscal year” the sec-
14 ond place it appears and “each fiscal year in
15 such biennium”.

16 (2) Section 202(f) (2 U.S.C. 602(f)) is further
17 amended—

18 (A) in paragraph (2) by striking “The Di-
19 rector shall from time to time” and inserting
20 “On May 15 of each even numbered year and
21 at such other times as he or she deems
22 appropriate, the Director shall”.

23 (B) in paragraph (3)—

24 (i) by striking “January 15” and in-
25 serting “February 15”,

1 (ii) by striking “each year” and in-
2 serting “each even-numbered calendar
3 year”,

4 (iii) by striking “the fiscal year end-
5 ing September 30 of that calendar year” in
6 clause (A) and inserting “either fiscal year
7 in the biennium beginning October 1 of the
8 preceding calendar year”,

9 (iv) by striking “the fiscal year ending
10 September 30 of that calendar year” in
11 clause (B) and inserting “either fiscal year
12 of such biennium”, and

13 (v) by striking “fiscal year beginning
14 October 1 of that calendar year” and in-
15 serting “succeeding biennium”.

16 (e) BIENNIAL CONCURRENT RESOLUTION ON THE
17 BUDGET.—

18 (1) Section 301(a) (2 U.S.C. 632(a)) is amend-
19 ed—

20 (A) by striking “April 15 of each year”
21 and inserting “April 15 of each odd-numbered
22 year”;

23 (B) by striking “the fiscal year beginning
24 on October 1 of such year” the first place it ap-

1 pears and inserting “the biennium beginning on
2 October 1 of such year”;

3 (C) by striking “the fiscal year beginning
4 on October 1 of such year” the second place it
5 appears and inserting “each fiscal year in such
6 period”; and

7 (D) by striking “each of the two ensuing
8 fiscal years” and inserting “each fiscal year in
9 the succeeding biennium”.

10 (2) Section 301(b) (2 U.S.C. 632(b)) is amend-
11 ed—

12 (A) in the matter preceding paragraph (1)
13 by inserting “for a biennium” after “concurrent
14 resolution on the budget”; and

15 (B) in paragraph (3) by striking “for such
16 fiscal year” and inserting “for either fiscal year
17 in such biennium”.

18 (3) Section 301(d) (2 U.S.C. 632(d)) is amend-
19 ed by striking “Within 6 weeks after the President
20 submits a budget under section 1105(a) of title 31,
21 United States Code” and inserting “On or before
22 February 25 of each odd-numbered year”.

23 (4) Section 301(e) (2 U.S.C. 632(e)) is amend-
24 ed—

1 (A) in the first sentence by striking “fiscal
2 year” and inserting “biennium”;

3 (B) by inserting between the second and
4 third sentences the following new sentence: “On
5 or before March 31 of each odd-numbered year
6 the Committee on the Budget of each House
7 shall report to its House the concurrent resolu-
8 tion on the budget referred to in subsection (a)
9 for the biennium beginning on October 1 of
10 that year.”; and

11 (C) in paragraph (6)—

12 (i) by striking “five” and inserting
13 “four”,

14 (ii) by striking “such fiscal year” and
15 inserting “the first fiscal year of such bien-
16 nium,”, and

17 (iii) by striking “such period” and in-
18 serting “such four-fiscal-year period”.

19 (5) Section 301(f) (2 U.S.C. 632(f)) is amend-
20 ed by striking “fiscal year” each place it appears
21 and inserting “biennium”.

22 (6) The section heading of section 301 is
23 amended by striking “annual” and inserting “bien-
24 nial”.

1 (7) The table of contents set forth in section
2 1(b) is amended by striking “Annual” in the item
3 relating to section 301 and inserting “Biennial”.

4 (f) COMMITTEE ALLOCATIONS.—

5 (1) Paragraphs (1) and (2) of section 302(a) (2
6 U.S.C. 633(a)) are amended—

7 (A) by inserting “for a biennium” after
8 “budget” the first place it appears in each such
9 paragraph; and

10 (B) by inserting “for each fiscal year in
11 such biennium” after “estimated allocation”
12 each place it appears.

13 (2) Section 302(c) (2 U.S.C. 633(c)) is amend-
14 ed—

15 (A) by striking “for a fiscal year” each
16 place it appears and inserting “for either fiscal
17 year in a biennium”; and

18 (B) by striking “for such fiscal year” each
19 place it appears and inserting “for such bien-
20 nium”.

21 (3) Section 302(f)(1) (2 U.S.C. 633(f)(1)) is
22 amended—

23 (A) by striking “for a fiscal year” and in-
24 serting “for a biennium”, and

1 (B) by striking “such fiscal year” each
2 place it appears in the matter preceding sub-
3 paragraph (A) and inserting “a fiscal year in
4 such biennium”.

5 (4) Section 302(f)(2) is amended—

6 (A) by striking “for a fiscal year” and in-
7 serting “for a biennium”,

8 (B) by striking “for such fiscal year” and
9 inserting “for a biennium”, and

10 (C) by striking “4 succeeding” and insert-
11 ing “3 succeeding”.

12 (g) SECTION 303 POINT OF ORDER.—

13 (1) Section 303(a) (2 U.S.C. 634(a)) is amend-
14 ed by striking “fiscal year” each place it appears
15 and inserting “biennium”.

16 (2) Section 303(b) (2 U.S.C. 634(b)) is amend-
17 ed—

18 (A) in subparagraphs (A) and (B) of para-
19 graph (1) and paragraph (2) by striking “the
20 fiscal year” each place it appears and inserting
21 “biennium”; and

22 (B) in paragraph (1) by striking “any cal-
23 endar year” and inserting “any odd-numbered
24 calendar year”.

1 (h) PERMISSIBLE REVISIONS OF CONCURRENT RES-
2 OLUTIONS ON THE BUDGET.—Section 304 (2 U.S.C. 635)
3 is amended—

4 (1) by striking “fiscal year” the first two places
5 it appears and inserting “biennium”;

6 (2) by striking “for such fiscal year”; and

7 (3) by inserting before the period “for such
8 biennium”.

9 (i) PROCEDURES FOR CONSIDERATION OF BUDGET
10 RESOLUTIONS.—Section 305(b)(3) (2 U.S.C. 636(b)(3))
11 is amended—

12 (1) by striking “the concurrent” and inserting
13 “a concurrent”; and

14 (2) by striking “fiscal year” and inserting
15 “biennium”.

16 (j) REPORTS AND SUMMARIES OF CONGRESSIONAL
17 BUDGET ACTIONS.—

18 (1)(A) Section 308(a)(1) (2 U.S.C. 639(a)(1))
19 is amended—

20 (i) in the matter preceding subparagraph
21 (A) by striking “fiscal year (or fiscal years)”
22 and inserting “biennium”,

23 (ii) in subparagraph (A) by striking “fiscal
24 year (or fiscal years)” and inserting “bien-
25 nium”, and

1 (iii) in subparagraph (C) by striking “such
2 fiscal year (or fiscal years)” and inserting
3 “such biennium”.

4 (B) Section 308(a)(2) is amended by striking
5 “fiscal year (or fiscal years)” and inserting “bien-
6 nium”.

7 (2) Section 308(b)(1) (2 U.S.C. 639(b)(1)) is
8 amended—

9 (A) by striking “each fiscal year covered
10 by a concurrent resolution on the budget” the
11 first place it appears and inserting “a bien-
12 nium”;

13 (B) by inserting “for such biennium” after
14 “concurrent resolution on the budget”; and

15 (C) by striking “the fiscal year preceding
16 the first fiscal year covered by the appropriate
17 concurrent resolution” and inserting “each fis-
18 cal year in the biennium preceding such bien-
19 nium”.

20 (3) Section 308(c) (2 U.S.C. 639(c)) is amend-
21 ed—

22 (A) by striking “Five” in the subsection
23 heading and inserting “Four”;

1 (B) by striking “fiscal year” each place it
2 appears in the matter preceding paragraph (1)
3 and inserting “biennium”; and

4 (C) by striking “5 fiscal years” and insert-
5 ing “4 fiscal years”.

6 (k) COMPLETION OF ACTION ON REGULAR APPRO-
7 PRIATION BILLS.—Section 309 (2 U.S.C. 640) is amend-
8 ed—

9 (1) by inserting “of any odd-numbered calendar
10 year” after “July”;

11 (2) by striking “annual” and inserting “regu-
12 lar”; and

13 (3) by striking “fiscal year” and inserting
14 “biennium”.

15 (l) RECONCILIATION PROCESS.—

16 (1) Section 310(a) (2 U.S.C. 641(a)) is amend-
17 ed—

18 (A) by striking “any fiscal year” in the
19 matter preceding paragraph (1) and inserting
20 “any biennium”;

21 (B) in paragraph (1) by striking “such fis-
22 cal year” each place it appears and inserting
23 “each fiscal year in such biennium”; and

24 (C) in paragraph (2) by inserting “for each
25 fiscal year in such biennium” after “revenues”.

1 (2) Section 310(e) (2 U.S.C. 641(e)) is amend-
2 ed—

3 (A) by striking “20 hours” in paragraph
4 (2) and inserting “100 hours”; and

5 (B) by adding at the end thereof the fol-
6 lowing new paragraph:

7 “(3) It shall not be in order in the Senate or
8 the House of Representatives to consider any rec-
9 onciliation bill or resolution or any amendment
10 thereto or any conference report thereon which
11 changes any provision of law other than provisions
12 of law which—

13 “(A) provide new budget authority or
14 spending authority described in section
15 401(c)(2);

16 “(B) relate to revenues; or

17 “(C) specify the amount of the statutory
18 limit on the public debt.”.

19 (3) Section 310(f) (2 U.S.C. 641(f)) is amend-
20 ed—

21 (A) by inserting “of any odd-numbered cal-
22 endar year” after “July”,

23 (B) by striking “fiscal year beginning on
24 October 1 of the calendar year to which the ad-
25 journeyment resolution pertains” and inserting

1 “biennium beginning on October 1 of such cal-
2 endar year”, and

3 (C) by striking “for such fiscal year” and
4 inserting “for such biennium”.

5 (m) SECTION 311 POINT OF ORDER.—

6 (1) Section 311(a)(1) (2 U.S.C. 642(a)) is
7 amended—

8 (A) by striking “for a fiscal year” and in-
9 serting “for a biennium”;

10 (B) by striking “such fiscal year” the first,
11 second, and third places it appears and insert-
12 ing “a fiscal year in such biennium”;

13 (C) by inserting “for such fiscal year”
14 after “outlays”;

15 (D) by striking “concurrent resolution on
16 the budget for such fiscal year” and inserting
17 “concurrent resolution on the budget for the bi-
18 ennium in which such fiscal year occurs”;

19 (E) by inserting “for such fiscal year”
20 after “revenues” the first place it appears; and

21 (F) by inserting “for such fiscal year”
22 after “set forth” the second place it appears.

23 (2) Section 311(b) (2 U.S.C. 642(b)) is amend-
24 ed—

1 (A) by striking “such fiscal year” the first
2 place it appears and inserting “a biennium”;
3 and

4 (B) by striking “such fiscal year” the sec-
5 ond place it appears and inserting “either fiscal
6 year in such biennium”.

7 (n) **BILLS PROVIDING NEW SPENDING AUTHOR-**
8 **ITY.**—Section 401(b)(2) (2 U.S.C. 651(b)(2)) is amended
9 by striking “for such fiscal year” the second place it ap-
10 pears and inserting “for the biennium in which such fiscal
11 year occurs”.

12 (o) **ANALYSIS BY CBO.**—Section 403(a) (2 U.S.C.
13 653(a)) is amended—

14 (1) by striking “the fiscal year” in paragraph
15 (1) and inserting “each fiscal year in the biennium”;

16 (2) by striking “each of the 4 fiscal years fol-
17 lowing such year” in paragraph (1) and inserting
18 “each fiscal year in the succeeding biennium”;

19 (3) by striking “the fiscal year” in paragraph
20 (2) and inserting “each fiscal year in the biennium”;
21 and

22 (4) by striking “each of the four fiscal years
23 following such fiscal year” in paragraph (2) and
24 inserting “each fiscal year in the succeeding
25 biennium”.

1 **SEC. 204. AMENDMENTS TO TITLE 31, UNITED STATES**
2 **CODE.**

3 (a) DEFINITION.—Section 1101 of title 31, United
4 States Code, is amended by adding at the end thereof the
5 following new paragraph:

6 “(3) ‘biennium’ has the meaning given to such
7 term in paragraph (11) of section 3 of the Congres-
8 sional Budget and Impoundment Control Act of
9 1974 (2 U.S.C. 622(11))”.

10 (b) BUDGET CONTENTS AND SUBMISSION TO THE
11 CONGRESS.—

12 (1) So much of section 1105(a) of title 31,
13 United States Code, as precedes paragraph (1)
14 thereof is amended to read as follows:

15 “(a) On or before the first Monday in February of
16 each odd-numbered year, beginning with the One-Hun-
17 dred-and-Fourth Congress, the President shall transmit to
18 the Congress, the budget for the biennium beginning on
19 October 1 of such calendar year. The budget transmitted
20 under this subsection shall include a budget message and
21 summary and supporting information. The President shall
22 include in each budget the following:”.

23 (2) Section 1105(a)(5) of title 31, United
24 States Code, is amended by striking “the fiscal year
25 for which the budget is submitted and the 4 fiscal
26 years after that year” and inserting “each fiscal

1 year in the biennium for which the budget is submit-
2 ted and in the succeeding biennium”.

3 (3) Section 1105(a)(6) of title 31, United
4 States Code, is amended by striking “the fiscal year
5 for which the budget is submitted and the 4 fiscal
6 years after that year” and inserting “each fiscal
7 year in the biennium for which the budget is submit-
8 ted and in the succeeding biennium”.

9 (4) Section 1105(a)(9)(C) of title 31, United
10 States Code, is amended by striking “the fiscal
11 year” and inserting “each fiscal year in the
12 biennium”.

13 (5) Section 1105(a)(12) of title 31, United
14 States Code, is amended—

15 (A) by striking “the fiscal year” in sub-
16 paragraph (A) and inserting “each fiscal year
17 in the biennium”; and

18 (B) by striking “4 fiscal years after that
19 year” in subparagraph (B) and inserting “2 fis-
20 cal years immediately following the second fiscal
21 year in such biennium”.

22 (6) Section 1105(a)(13) of title 31, United
23 States Code, is amended by striking “the fiscal
24 year” and inserting “each fiscal year in the
25 biennium”.

1 (7) Section 1105(a)(14) of title 31, United
2 States Code, is amended by striking “that year” and
3 inserting “each fiscal year in the biennium for which
4 the budget is submitted”.

5 (8) Section 1105(a)(16) of title 31, United
6 States Code, is amended by striking “the fiscal
7 year” and inserting “each fiscal year in the bien-
8 nium”.

9 (9) Section 1105(a)(17) of title 31, United
10 States Code, is amended—

11 (A) by striking “the fiscal year following
12 the fiscal year” and inserting “each fiscal year
13 in the biennium following the biennium”;

14 (B) by striking “that following fiscal year”
15 and inserting “each such fiscal year”; and

16 (C) by striking “fiscal year before the fis-
17 cal year” and inserting “biennium before the
18 biennium”.

19 (10) Section 1105(a)(18) of title 31, United
20 States Code, is amended—

21 (A) by striking “the prior fiscal year” and
22 inserting “each of the 2 most recently com-
23 pleted fiscal years”;

24 (B) by striking “for that year” and insert-
25 ing “with respect to that fiscal year”; and

1 (C) by striking “in that year” and insert-
2 ing “in that fiscal year”.

3 (11) Section 1105(a)(19) of title 31, United
4 States Code, is amended—

5 (A) by striking “the prior fiscal year” and
6 inserting “each of the 2 most recently com-
7 pleted fiscal years”;

8 (B) by striking “for that year” and insert-
9 ing “with respect to that fiscal year”; and

10 (C) by striking “in that year” each place
11 it appears and inserting “in that fiscal year”.

12 (c) ESTIMATED EXPENDITURES OF LEGISLATIVE
13 AND JUDICIAL BRANCHES.—Section 1105(b) of title 31,
14 United States Code, is amended by striking “each year”
15 and inserting “each even-numbered year”.

16 (d) RECOMMENDATIONS TO MEET ESTIMATED DEFICI-
17 CIENCIES.—Section 1105(c) of title 31, United States
18 Code, is amended—

19 (1) by striking “fiscal year for” each place it
20 appears and inserting “biennium for”;

21 (2) by inserting “or current biennium, as the
22 case may be,” after “current fiscal year”; and

23 (3) by striking “that year” and inserting “that
24 period”.

1 (e) STATEMENT WITH RESPECT TO CERTAIN
2 CHANGES.—Section 1105(d) of title 31, United States
3 Code, is amended by striking “fiscal year” and inserting
4 “biennium”.

5 (f) CAPITAL INVESTMENT ANALYSIS.—Section
6 1105(e) of title 31, United States Code, is amended by
7 striking “ensuing fiscal year” and inserting “biennium to
8 which such budget relates”.

9 (g) SUPPLEMENTAL BUDGET ESTIMATES AND
10 CHANGES.—

11 (1) Section 1106(a) of title 31, United States
12 Code, is amended—

13 (A) in the matter preceding paragraph (1)
14 by striking “fiscal year” and inserting “bien-
15 nium”;

16 (B) in paragraph (1) by striking “that fis-
17 cal year” and inserting “each fiscal year in
18 such biennium”;

19 (C) in paragraph (2) by striking “4 fiscal
20 years following the fiscal year” and inserting “2
21 fiscal years following the biennium”;

22 (D) by striking “future fiscal years” in
23 paragraph (3) and inserting “the 2 fiscal years
24 following the biennium for which the budget is
25 submitted”; and

1 (E) by striking “fiscal year” in paragraph
2 (3) and inserting “biennium”.

3 (2) Section 1106(b) of title 31, United States
4 Code, is amended by striking “the fiscal year” and
5 inserting “each fiscal year in the biennium”.

6 (h) YEAR-AHEAD REQUESTS FOR AUTHORIZING
7 LEGISLATION.—Section 1110 of title 31, United States
8 Code, is amended—

9 (1) by striking “fiscal year” and inserting “bi-
10 ennium (beginning on or after October 1, 1993)”,
11 and

12 (2) by striking “year before the year in which
13 the fiscal year begins” and inserting “second cal-
14 endar year preceding the calendar year in which the
15 biennium begins”.

16 (i) BUDGET INFORMATION ON CONSULTING SERV-
17 ICES.—Section 1114 of title 31, United States Code, is
18 amended—

19 (1) by striking “The” each place it appears and
20 inserting “For each biennium beginning with the bi-
21 ennium beginning on October 1, 1995, the”; and

22 (2) by striking “each year” each place it
23 appears.

1 **SEC. 205. TITLE AND STYLE OF APPROPRIATIONS ACTS.**

2 Section 105 of title 1, United States Code, is amend-
3 ed to read as follows:

4 **“§ 105. Title and style of appropriations Acts**

5 “(a) The style and title of all Acts making appropria-
6 tions for the support of the Government shall be as fol-
7 lows: ‘An Act making appropriations (here insert the ob-
8 ject) for the biennium ending September 30 (here insert
9 the odd-numbered calendar year).’.

10 “(b) All Acts making regular appropriations for the
11 support of the Government shall be enacted for a biennium
12 and shall specify the amount of appropriations provided
13 for each fiscal year in such period.

14 “(c) For purposes of this section, the term ‘biennium’
15 has the same meaning as in section 3(11) of the Congres-
16 sional Budget and Impoundment Control Act of 1974 (2
17 U.S.C. 622(11)).”.

18 **SEC. 206. ASSISTANCE BY FEDERAL AGENCIES TO STAND-**
19 **ING COMMITTEES OF THE SENATE AND THE**
20 **HOUSE OF REPRESENTATIVES.**

21 (a) INFORMATION REGARDING AGENCY APPROPRIA-
22 TIONS REQUESTS.—To assist each standing committee of
23 the Senate and the House of Representatives in carrying
24 out its responsibilities, the head of each Federal agency
25 which administers the laws or parts of laws under the ju-
26 risdiction of such committee shall provide to such commit-

1 tee such studies, information, analyses, reports, and as-
2 sistance as may be requested by the chairman and ranking
3 minority member of the committee.

4 (b) INFORMATION REGARDING AGENCY PROGRAM
5 ADMINISTRATION.—

6 (1) FURNISHING INFORMATION.—To assist
7 each standing committee of the Senate and the
8 House of Representatives in carrying out its respon-
9 sibilities, the head of any agency shall furnish with-
10 out charge to such committee computer tapes or
11 disks, together with explanatory documentation, con-
12 taining information received, compiled, or main-
13 tained by the agency as part of the operation or ad-
14 ministration of a program, or specifically compiled
15 pursuant to a request in support of a review of a
16 program, as may be requested by the chairman and
17 ranking minority member of such committee.

18 (2) MINIMIZING REQUESTS.—The Committee
19 on House Administration of the House of Represent-
20 atives and the Committee on Rules and Administra-
21 tion of the Senate shall prescribe rules and regula-
22 tions for their respective Houses which will minimize
23 duplication of requests under paragraph (1) of this
24 subsection.

1 (c) SUMMARIES BY COMPTROLLER GENERAL.—With-
2 in 30 days after the receipt of a request from a chairman
3 and ranking minority member of a standing committee
4 having jurisdiction over a program being reviewed and
5 studied by such committee under this section, the Comp-
6 troller General of the United States shall furnish to such
7 committee summaries of any audits or reviews of such pro-
8 gram which the Comptroller General has completed during
9 the preceding 6 years.

10 (d) CONGRESSIONAL ASSISTANCE.—Consistent with
11 their duties and functions under law, the Comptroller Gen-
12 eral of the United States, the Director of the Congres-
13 sional Budget Office, the Director of the Office of Tech-
14 nology Assessment, and the Director of the Congressional
15 Research Service shall furnish to each standing committee
16 of the Senate or the House of Representatives such infor-
17 mation, studies, analyses, and reports as the chairman and
18 ranking minority member may request to assist the com-
19 mittee in conducting reviews and studies of programs
20 under this section.

21 (e) SECRET AND CLASSIFIED INFORMATION PRO-
22 TECTED.—This section does not require the public disclo-
23 sure of matters that are specifically authorized under cri-
24 teria established by an Executive order to be kept secret
25 in the interest of national defense or foreign policy and

1 are in fact properly classified pursuant to such Executive
2 order, or which are otherwise specifically protected by law.
3 This section does not require any committee of the Senate
4 to disclose publicly information the disclosure of which is
5 governed by Senate Resolution 400, Ninety-fourth Con-
6 gress, or any other rule of the Senate.

7 **SEC. 207. AMENDMENTS TO RULES OF HOUSE OF REP-**
8 **RESENTATIVES.**

9 The Rules of the House of Representatives are
10 amended as follows:

11 (1) Clause 4(a)(1)(A) of rule X is amended by
12 inserting “odd-numbered” after “each”.

13 (2) Clause 4(a)(2) of rule X is amended by
14 striking “such fiscal year” and inserting “the bien-
15 nium in which such fiscal year begins”.

16 (3) Clause 4(b)(2) of rule X is amended by
17 striking “first concurrent resolution on the budget
18 for each fiscal year” and inserting “concurrent reso-
19 lution on the budget required under section 301(a)
20 of the Congressional Budget Act of 1974 for each
21 biennium”.

22 (4) Clause 4(f) of rule X is amended by striking
23 “annually” each place it appears and inserting “bi-
24 ennially”.

25 (5) Clause 4(g) of rule X is amended—

1 (A) by striking “March 15 of each year”
2 and inserting “March 15 of each odd-numbered
3 year”;

4 (B) by striking “fiscal year” the first place
5 it appears and inserting “biennium”; and

6 (C) by striking “that fiscal year” and in-
7 serting “each fiscal year in such ensuing
8 biennium”.

9 (6) Clause 4(h) of rule X is amended by strik-
10 ing “fiscal year” and inserting “biennium”.

11 (7) Subdivision (C) of clause 2(l)(1) of rule XI
12 is repealed.

13 (8) Clause 4(a) of rule XI is amended by strik-
14 ing “fiscal year if reported after September 15 pre-
15 ceding the beginning of such fiscal year” and insert-
16 ing “biennium if reported after August 1 of the year
17 in which such biennium begins”.

18 (9) Clause 2 of rule XLIX is amended by strik-
19 ing “fiscal year” and inserting “biennium”.

20 **SEC. 208. EFFECTIVE DATE; APPLICATION.**

21 (a) IN GENERAL.—Except as provided in subsection
22 (b), this title and the amendments made by it shall become
23 effective January 1, 1995, and shall apply to bienniums
24 beginning after September 30, 1995.

1 (b) FISCAL YEAR 1995.—Notwithstanding subsection
2 (a), the provisions of—

3 (1) the Congressional Budget Act of 1974, and

4 (2) title 31, United States Code,

5 (as such provisions were in effect on the day before the
6 effective date of this Act) shall apply to the fiscal year
7 beginning on October 1, 1994.

8 (c) DEFINITION.—For purposes of this section, the
9 term “biennium” shall have the meaning given to such
10 term in section 3(11) of the Congressional Budget and
11 Impoundment Control Act of 1974 (2 U.S.C. 622(11)),
12 as added by section 202(b)(2) of this Act.

13 **TITLE III—UNIFIED OPERATING**
14 **AND CAPITAL BUDGET**

15 **SEC. 301. STATEMENT OF FINDING AND PURPOSE.**

16 (a) STATEMENT OF FINDING.—The Congress finds
17 that the existing budget obscures the distinctions between
18 capital activities and operating activities, and between
19 Federal funds and trust funds so as to hinder identifying
20 the resources needed to meet the Government’s needs.

21 (b) PURPOSE.—It is the purpose of this title that the
22 unified budget present a capital budget and an operating
23 budget, and distinguish between Federal funds and trust
24 funds, in order to provide better and more relevant infor-

1 mation on the revenues, expenses, and financing require-
2 ments of Government programs and activities.

3 **SEC. 302. CAPITAL AND OPERATING BUDGETS.**

4 Title 31, United States Code, is amended by inserting
5 after section 1105 the following new section:

6 **“§ 1105a. Capital and operating budgets**

7 “(a)(1) The budget of the United States submitted
8 by the President under section 1105 of this title shall be
9 a unified budget composed of an operating budget and a
10 capital budget.

11 “(2) Operating and capital budgets shall be presented
12 separately for total funds, Federal funds, and trust funds.

13 “(b)(1) Actual, estimated, and proposed amounts
14 shall be presented for total funds, Federal funds, and trust
15 funds and, at a minimum, shall contain—

16 “(A) for the operating budget the following: (i)
17 operating revenues, (ii) operating expenses, (iii) op-
18 erating surplus/deficit before interfund transfers,
19 (iv) interfund transfers, and (v) operating surplus/
20 deficit;

21 “(B) for the capital budget the following: (i)
22 capital revenues, (ii) capital investments, (iii) net
23 capital investments, (iv) interfund transfers, and (v)
24 capital financing requirements;

25 “(C) items not affecting funds; and

1 “(D) unified budget financing requirements.

2 “(2) The capital budget shall represent only the
3 major activities, projects, and programs which support the
4 acquisition, construction, alteration, and rehabilitation of
5 capital assets. All other activities, projects, and programs
6 shall be represented in the operating budget.

7 “(c) In addition to the unified budget submitted by
8 the President as required by subsections (a) and (b) of
9 this section, the President shall present information in the
10 form required by subsection (b)(1) for accounts, agencies,
11 and functions, to the extent applicable.

12 “(d) In this section—

13 “(1) ‘unified budget’ means a budget in which
14 revenues and expenses for Federal funds and trust
15 funds are consolidated to display totals for the Fed-
16 eral Government as a whole;

17 “(2) ‘trust funds’ means—

18 “(A) the Federal Old-Age and Survivors
19 Insurance Trust Fund,

20 “(B) the Federal Hospital Insurance Trust
21 Fund,

22 “(C) the Civil Service Retirement and Dis-
23 ability Fund,

24 “(D) the Military Retirement Fund,

1 “(E) the Federal Supplementary Medical
2 Insurance Trust Fund,

3 “(F) the Unemployment Trust Fund,

4 “(G) the Federal Disability Insurance
5 Trust Fund, and

6 “(H) such other funds or accounts of the
7 Government that the Director of the Office of
8 Management and Budget, in consultation with
9 the Comptroller General, determines should be
10 classified as trust funds in order to fulfill the
11 purpose of this section;

12 “(3) ‘Federal funds’ includes all accounts of the
13 Government that are not trust funds;

14 “(4) ‘total funds’ means Federal funds and
15 trust funds and represents the unified budget;

16 “(5) ‘capital assets’ means physical assets and
17 financial assets, but does not include consumable
18 inventories;

19 “(6) ‘physical assets’ means tangible assets
20 whose ownership is or will be in the public domain;
21 which typically produce services or benefits, includ-
22 ing for national defense and security, for more than
23 3 years; and which have an initial cost equal to or
24 more than \$1,000,000. Such assets include, but are
25 not limited to—

1 “(A) roadways and bridges;

2 “(B) airports and airway facilities;

3 “(C) mass transportation systems;

4 “(D) waste water treatment and related
5 facilities;

6 “(E) water resource projects;

7 “(F) medical facilities;

8 “(G) resource recovery facilities;

9 “(H) public structures;

10 “(I) space and communication facilities;

11 “(J) defense facilities;

12 “(K) major weapons platforms; and

13 “(7) ‘financial assets’ means interests of the
14 Federal Government in, and claims of the Federal
15 Government against, foreign governments, States
16 and their political subdivisions, corporations, asso-
17 ciations, and individuals and their resources which
18 are represented by a legal instrument (such as
19 bonds, debentures, notes, and other securities), less
20 any credit subsidy costs attributable to such finan-
21 cial assets;

22 “(8) ‘credit subsidy costs’ means the losses in-
23 curred by the Federal Government as a result of its
24 direct and guaranteed loans, including such costs as
25 interest and default;

1 “(9) ‘consumable inventories’ means tangible
2 assets of the Federal Government, including stock-
3 piles, supplies, and inventories, which typically are
4 consumed within 3 years or which have an initial
5 price less than \$1,000,000;

6 “(10) ‘operating revenues’ means all receipts of
7 the Federal Government, other than those identified
8 in paragraph (16), including profits and interest
9 earned on financial assets;

10 “(11) ‘operating expenses’ means all expenses
11 of the Federal Government, other than those identi-
12 fied in paragraph (17), including interest payments
13 on debts, asset consumption charge, and credit sub-
14 sidy costs;

15 “(12) ‘the operating surplus/deficit before
16 interfund transfers’ means the difference between
17 operating revenues and operating expenses before
18 interfund transfers;

19 “(13) ‘interfund transfers’ means the flow of
20 revenues between Federal funds and trust funds ac-
21 counts that are expenses from the account making
22 the payments and revenues to the account receiving
23 the payments;

1 “(14) ‘operating surplus/deficit’ means the op-
2 erating surplus/deficit before interfund transfers
3 plus or minus interfund transfers;

4 “(15) ‘asset consumption charge’ means the
5 systematic allocation over the useful life of the asset
6 of the original cost of a physical asset financed by
7 the appropriation accounts for which the capital
8 budget required by this section applies;

9 “(16) ‘capital revenues’ means receipts of the
10 Federal Government derived from the repayment of
11 principal invested in financial assets, and taxes, col-
12 lections, and receipts dedicated by statute, for the
13 acquisition, construction, and rehabilitation of cap-
14 ital assets which relate to the activities, functions,
15 and programs represented by the capital budget;

16 “(17) ‘capital investments’ means expenditures
17 of the Federal Government, including those under
18 grants, contracts, and leases, which are for the ac-
19 quisition, construction, and rehabilitation of capital
20 assets;

21 “(18) ‘net capital investments’ means the
22 amount by which capital investments exceed the
23 asset consumption charge;

1 “(19) ‘capital financing requirements’ means
2 net capital investments plus or minus interfund
3 transfers;

4 “(20) ‘items not affecting funds’ means
5 noncash outlays of the Federal Government; and

6 “(21) ‘unified budget financing requirements’
7 means the total of the operating surplus/deficit and
8 the net capital financing requirements less items not
9 affecting funds.”.

10 **SEC. 303. CONFORMING AMENDMENTS.**

11 (a) Paragraph (1) of section 3 of the Congressional
12 Budget and Impoundment Control Act of 1974 (2 U.S.C.
13 622(1)) is amended by adding at the end the following
14 new sentence: “With respect to capital investments (as
15 such term is defined in section 1105a(d)(17) of title 31,
16 United States Code), expenditures shall include only the
17 asset consumption charge (as such term is defined in sec-
18 tion 1105a(d)(15) of title 31, United States Code) in the
19 current biennium for all such capital investments incurred
20 in the current and previous bienniums.”.

21 (b) Section 1112 of title 31, United States Code, is
22 amended—

23 (1) in subsection (c)(1) by inserting “criteria,
24 principles, and standards for determining the con-
25 tents of the operating and capital budgets required

1 under section 1105a of this title, and” after “includ-
2 ing”; and

3 (2) by adding the following subsection at the
4 end:

5 “(g) The Comptroller General shall review and report
6 to the Congress on the implementation of section 1105a
7 of this title as the Comptroller General deems necessary.
8 A review by the Comptroller General may include, but
9 need not be limited to, determining whether (1) the actual,
10 estimated, and proposed appropriations, receipts, and in-
11 vestments presented in the capital budget represent activi-
12 ties, functions, and programs which support the acquisi-
13 tion, construction, alteration, and rehabilitation of capital
14 assets, and (2) the classifications made by the Director
15 of the Office of Management and Budget under section
16 1105a(d)(2)(H) of this title further the purposes of
17 section 1105a.”.

18 **SEC. 304. PUBLIC WORKS FINANCING INFORMATION.**

19 Title VII of the Public Works and Economic Develop-
20 ment Act of 1965 (42 U.S.C. 3211–3226) is amended by
21 adding at the end the following new section:

22 **“SEC. 717. PUBLIC WORKS FINANCING INFORMATION.**

23 “(a) TRANSPORTATION REPORTS.—Not later than
24 12 months after the date of the enactment of the Com-
25 prehensive Budget Process Reform Act of 1993, and an-

1 nually thereafter, the Secretary of Transportation shall re-
2 port to the House Committee on Public Works and Trans-
3 portation and the Senate Committee on Environment and
4 Public Works, at the account, function, and agency levels,
5 the actual, estimated, and proposed appropriations, re-
6 ceipts, and expenditures for capital activities and operat-
7 ing activities associated with the following:

- 8 “(1) roadways and bridges;
9 “(2) airports and airway facilities; and
10 “(3) mass transportation systems.

11 “(b) WATER POLLUTION REPORTS.—Not later than
12 12 months after the date of the enactment of the Com-
13 prehensive Budget Process Reform Act of 1993, and an-
14 nually thereafter, the Administrator of the Environmental
15 Protection Agency shall report to the House Committee
16 on Public Works and Transportation and the Senate Com-
17 mittee on Environment and Public Works, at the account
18 and function levels, the actual, estimated, and proposed
19 appropriations, receipts, and expenditures for capital ac-
20 tivities and operating activities associated with waste
21 water treatment and related facilities.

22 “(c) WATER RESOURCES REPORTS.—Not later than
23 12 months after the date of the enactment of the Com-
24 prehensive Budget Process Reform Act of 1993, and an-
25 nually thereafter, the Assistant Secretary of the Army for

1 Civil Works shall report to the House Committee on Pub-
2 lic Works and Transportation and the Senate Committee
3 on Environment and Public Works, at the account and
4 function levels, the actual, estimated, and proposed appro-
5 priations, receipts, and expenditures for capital activities
6 and operating activities associated with water resource
7 projects.

8 “(d) PUBLIC BUILDINGS REPORTS.—Not later than
9 12 months after the date of the enactment of the Com-
10 prehensive Budget Process Reform Act of 1993, and an-
11 nually thereafter, the Administrator of the General Serv-
12 ices Administration shall report to the House Committee
13 on Public Works and Transportation and the Senate Com-
14 mittee on Environment and Public Works, at the account
15 and function levels, the actual, estimated, and proposed
16 appropriations, receipts, and expenditures for capital ac-
17 tivities and operating activities associated with public
18 buildings.”.

19 **SEC. 305. LEASING VERSUS PURCHASING ANALYSES.**

20 (a) OMB REGULATIONS.—Chapter 11 of title 31,
21 United States Code, (as amended by sections 602 and 701
22 of this Act) is amended by adding after section 1117 the
23 following new section:

1 **“§ 1118. Lease/Purchase Analyses**

2 “The Office of Management and Budget shall pro-
3 mulgate regulations requiring—

4 “(1) that each department and agency establish
5 standards to compare the advantages and disadvan-
6 tages of leasing versus purchasing any proposed real
7 estate or equipment with a cost in excess of
8 \$10,000,000; and

9 “(2) that each such analysis compares the net
10 present value of the 2 alternatives and be completed
11 before any commitment to purchase or lease any
12 such real estate or equipment may be entered into
13 by that department or agency.”.

14 (b) TECHNICAL AND CONFORMING AMENDMENT.—
15 The table of sections for chapter 11 of title 31, United
16 States Code, is amended by adding after the item relating
17 to section 1117 the following new item:

“1118. Lease/purchase analyses.”.

18 **TITLE IV—SUNSET AUTHORITY**

19 SEC. 401. The purposes of this title are—

20 (1) to require that most Government programs
21 be reauthorized according to a schedule at least once
22 every ten years;

23 (2) to limit the length of time for which Gov-
24 ernment programs can be authorized to ten years;

1 (3) to bar the expenditure of funds for Govern-
2 ment programs which have not been provided for by
3 a law enacted during the ten-year sunset reauthor-
4 ization cycle; and

5 (4) to encourage the reexamination of selected
6 Government programs each Congress.

7 SEC. 402. (a) For purposes of this title—

8 (1) The term “budget authority” has the mean-
9 ing given to it by section 3(2) of the Congressional
10 Budget and Impoundment Control Act of 1974.

11 (2) The term “permanent budget authority”
12 means budget authority provided for an indefinite
13 period of time or an unspecified number of
14 bienniums which does not require recurring action
15 by the Congress, but does not include budget au-
16 thority provided for a specified biennium which is
17 available for obligation or expenditure in one or
18 more succeeding bienniums.

19 (3) The term “Comptroller General” means the
20 Comptroller General of the United States.

21 (4) The term “agency” means an executive
22 agency as defined in section 105 of title 5, United
23 States Code, except that such term includes the
24 United States Postal Service and the Postal Rate

1 Commission but does not include the General
2 Accounting Office.

3 (5) The term “sunset reauthorization cycle”
4 means the period of five Congresses beginning with
5 the One Hundred Fourth Congress and with each
6 sixth Congress following the One Hundred Fourth
7 Congress.

8 (b) For purposes of this title, each program (includ-
9 ing any program exempted by a provision of law from in-
10 clusion in the Budget of the United States) shall be as-
11 signed to the functional and subfunctional categories to
12 which it is assigned in the Budget of the United States
13 Government, fiscal year 1991. Each committee of the Sen-
14 ate or the House of Representatives which reports any bill
15 or resolution which authorizes the enactment of new budg-
16 et authority for a program not included in the fiscal year
17 1991 budget shall include, in the committee report accom-
18 panying such bill or resolution (and, where appropriate,
19 the conferees shall include in their joint statement on such
20 bill or resolution), a statement as to the functional and
21 subfunctional category to which such program is to be
22 assigned.

23 (c) For purposes of subtitles A, B, and C of this title,
24 the reauthorization date applicable to a program is the
25 date specified for such program under section 411(b).

1 **Subtitle A—Reauthorization of**
 2 **Government Programs**

3 SEC. 411. (a) Each Government program (except
 4 those listed in section 413) shall be reauthorized at least
 5 once during each sunset reauthorization cycle during the
 6 Congress in which the reauthorization date applicable to
 7 such program (pursuant to subsection (b)) occurs.

8 (b) The first reauthorization date applicable to a Gov-
 9 ernment program is the date specified in the following
 10 table, and each subsequent reauthorization date applicable
 11 to a program is the date ten years following the preceding
 12 reauthorization date:

Programs included within subfunctional category	First reauthorization date
254 Space, Science, Applications and Technology. 272 Energy Conservation. 301 Water Resources. 352 Agriculture and Research Services. 371 Mortgage Credit and Thrift Insurance. 376 Other Advancement and Regulation of Commerce. 501 Elementary, Secondary, and Vocational Education. 601 General Retirement and Disability Insurance. 602 Federal Employment Retirement and Disability. 703 Hospital and Medical Care for Veterans. 807 Other General Government.	September 30, 1996.
051 Department of Defense—Military. 053 Atomic Energy Defense Activities. 154 Foreign Information and Exchange Act. 251 General Science and Basic Research. 306 Other Natural Resources. 351 Farm Income Stabilization. 401 Ground Transportation. 502 Higher Education. 553 Education and Training of Health Care Work Force. 701 Income Security for Veterans.	September 30, 1998.

Programs included within subfunctional category	First reauthorization date
802 Executive Director and Management.	
803 Central Fiscal Operations.	
054 Defense Related Activities.	September 30, 2000.
152 International Security Assistance.	
155 International Financial Programs.	
253 Space Flight.	
255 Supporting Space Activities.	
274 Emergency Energy Preparedness.	
302 Conservation and Land Management.	
304 Pollution Control and Abatement.	
407 Other Transportation.	
504 Training and Employment.	
506 Social Services.	
554 Consumer and Occupational Health and Safety.	
704 Veterans Housing.	
751 Federal Law Enforcement Activities.	
801 Legislative Function.	
806 Other General Purpose Fiscal Assistance.	
153 Conduct of Foreign Affairs.	September 30, 2002.
271 Energy Supply.	
303 Recreational Resources.	
402 Air Transportation.	
505 Other Labor Services.	
551 Health Care Services.	
604 Public Assistance and Other Income Supplements.	
702 Veterans Education, Training, and Rehabilitation.	
753 Federal Correctional Activities.	
805 Central Personnel Management.	
151 Foreign Economic and Financial Assistance.	September 30, 2004.
276 Energy Information, Policy and Regulation.	
372 Postal Service.	
403 Water Transportation.	
451 Community Development.	
452 Area and Regional Development.	
453 Disaster Relief and Insurance.	
503 Research and General Education Aids.	
552 Health Research.	
603 Unemployment Compensation.	
705 Other Veterans Benefits and Services.	
754 Criminal Justice Assistance.	
804 General Property and Record Management.	

1 (c)(1) It shall not be in order in either the Senate
2 or the House of Representatives to consider any bill or
3 resolution, or amendment thereto, which authorizes the
4 enactment of new budget authority for a program for a

1 period of more than 5 bienniums, for an indefinite period,
2 or (except during the Congress in which such next reau-
3 thorization date occurs) for any biennium beginning after
4 the next reauthorization date applicable to such program.
5 Notwithstanding the preceding sentence, it shall be in
6 order to consider a bill or resolution for the purpose of
7 considering an amendment to the bill or resolution which
8 would make the authorization period conform to the
9 requirement of such sentence.

10 (2)(A) It shall not be in order in either the Senate
11 or the House of Representatives to consider any bill or
12 resolution, or amendment thereto, which provides new
13 budget authority for a program for any biennium begin-
14 ning after any reauthorization date applicable to such pro-
15 gram under subsection (b), unless the provision of such
16 new budget authority is specifically authorized by a law
17 which constitutes a required authorization for such
18 program.

19 (B) For the purposes of this subtitle, the term “re-
20 quired authorization” means a law authorizing the enact-
21 ment of new budget authority for a program, which com-
22 plies with the provisions of paragraph (1).

23 (3) No new budget authority may be obligated or ex-
24 pended for a program for a biennium beginning after the
25 last biennium in a sunset reauthorization cycle unless a

1 provision of law providing for the expenditure of such
2 funds has been enacted during such sunset reauthorization
3 cycle.

4 (4) Any provision of law providing permanent budget
5 authority for a program shall cease to be effective (for the
6 purpose of providing such budget authority) on the first
7 reauthorization date applicable to such program.

8 (5) It shall not be in order in either the Senate or
9 the House of Representatives to consider any bill or reso-
10 lution, or amendment thereto, which provides new budget
11 authority for a program unless the bill or resolution, or
12 amendment thereto (or the report which accompanies such
13 bill or resolution), includes a specific reference to the pro-
14 vision of law which constitutes a required authorization
15 for such program. Notwithstanding the preceding sen-
16 tence, it shall be in order to consider a bill or resolution
17 for the purpose of considering an amendment which pro-
18 vides such reference to the appropriate provision of law.

19 SEC. 412. (a) It shall not be in order in either the
20 Senate or the House of Representatives to consider any
21 bill or resolution, or amendment thereto, which has been
22 reported by a committee and which authorizes the enact-
23 ment of new budget authority for a program for a bien-
24 nium beginning after the next reauthorization date appli-
25 cable to such program, unless a reauthorization review of

1 such program has been completed during the Congress in
2 which the reauthorization date for such program occurs
3 (or during a subsequent Congress when such required au-
4 thorization is considered), and the report accompanying
5 such bill or resolution includes a separate section entitled
6 “Reauthorization Review” recommending, based on such
7 review, whether the program or the laws affecting such
8 program should be continued without change, continued
9 with modifications, or terminated, and also includes, to the
10 extent the committee or committees having jurisdiction
11 deem appropriate, each of the following matters:

12 (1) Information and analysis on the organiza-
13 tion, operation, costs, results, accomplishments, and
14 effectiveness of the program.

15 (2) An identification of any other programs
16 having similar objectives, and a justification of the
17 need for the proposed program in comparison with
18 those other programs which may be potentially con-
19 flicting or duplicative.

20 (3) An identification of the objectives intended
21 for the program, and the problems or needs which
22 the program is intended to address, including an
23 analysis of the performance expected to be achieved,
24 based on the bill or resolution as reported.

1 (4) A comparison of the amount of new budget
2 authority which was authorized for the program in
3 each of the previous 2 bienniums and the amount of
4 new budget authority provided in each such year.

5 (b) It shall not be in order in either the Senate or
6 the House of Representatives to consider a bill or resolu-
7 tion, or amendment thereto, which authorizes the enact-
8 ment of new budget authority for a program for which
9 there previously has been no such authorization unless the
10 report accompanying such bill or resolution sets forth, to
11 the extent that the committee or committees having juris-
12 diction deem appropriate, the information specified in sub-
13 sections (a)(2) and (a)(3).

14 (c) Each committee having legislative jurisdiction
15 over a program referred to in section 413 shall conduct
16 a review of such program of the type described in sub-
17 section (a) of this section at least once during each sunset
18 reauthorization cycle, during the Congress in which the
19 reauthorization date applicable to such program occurs,
20 and shall submit to the Senate or the House of Represent-
21 atives, as the case may be, a report containing its rec-
22 ommendations and other information of the type described
23 in subsection (a). It shall not be in order in either the
24 Senate or the House of Representatives to consider a bill
25 or resolution reported by the committee having legislative

1 jurisdiction which authorizes the enactment of new budget
2 authority for such program unless such report accom-
3 panies such bill or resolution, or has been submitted dur-
4 ing the Congress in which the reauthorization date for
5 such program occurred as provided in section 411(b),
6 whichever first occurs.

7 SEC. 413. Section 411(c) shall not apply to the
8 following:

9 (1) Programs included within functional cat-
10 egory 900 (Interest).

11 (2) Programs which are related to the adminis-
12 tration of the Federal judiciary and which are classi-
13 fied in the fiscal year 1993 budget under
14 subfunctional category 752 (Federal litigative and
15 judicial activities).

16 (3) Payments of refunds of internal revenue col-
17 lections as provided in title I of the Supplemental
18 Treasury and Post Office Departments Appropria-
19 tion Act of 1949 (62 Stat. 561), but not to include
20 refunds to persons in excess of their tax payments.

21 SEC. 414. (a) It is the sense of the Congress that
22 all programs should be considered and reauthorized in
23 program categories which constitute major areas of legis-
24 lative policy. Such authorizations should be for sufficient

1 periods of time to enhance oversight and the review and
2 evaluation of Government programs.

3 (b) The reauthorization schedule contained in section
4 411(b) may be changed by concurrent resolution of the
5 two Houses of the Congress (except that changes in the
6 schedule affecting permanent appropriations may be made
7 only by law).

8 (c) All messages, petitions, memorials, concurrent
9 resolutions, and bills proposing changes in section 411(b)
10 and all bills proposing changes in section 413, shall be
11 referred first to the committee with legislative jurisdiction
12 over any program affected by the proposal and sequen-
13 tially to the Committee on Rules in the House of Rep-
14 resentatives or to the Committee on Rules and Adminis-
15 tration in the Senate.

16 (d) Except as provided in subsection (f), the Commit-
17 tee on Rules in the House of Representatives or the Com-
18 mittee on Rules and Administration in the Senate shall
19 report with its recommendations any concurrent resolution
20 or bill referred to it under subsection (c) and which pre-
21 viously has been reported favorably by a committee of leg-
22 islative jurisdiction within thirty days (not counting any
23 day on which the Senate or the House of Representatives
24 is not in session), beginning with the day following the
25 day on which such resolution or bill is so referred.

1 (e) The recommendations of the Committee on Rules
2 or the Committee on Rules and Administration pursuant
3 to subsection (d) or (f) shall include a statement on each
4 of the following matters:

5 (1) The effect the proposed change would have
6 on the sunset reauthorization schedule.

7 (2) The effect the proposed change would have
8 on the jurisdictional and reauthorization responsibil-
9 ities and workloads of the authorizing committees
10 of Congress.

11 (3) Any suggested grouping of similar programs
12 which would further the goals of this title to make
13 more effective comparisons between programs having
14 like objective.

15 (f) Any concurrent resolution or bill proposing a
16 change in section 411(b) or 413 shall be referred in the
17 House to the Committee on Rules and in the Senate to
18 the Committee on Rules and Administration. Such com-
19 mittee shall report an omnibus concurrent resolution or
20 bill containing its recommendations regarding the pro-
21 posed changes and consideration of such bill or resolution
22 shall be highly privileged in the House of Representatives
23 and privileged in the Senate. The provisions of subsections
24 (c) and (d) of section 1017 of the Impoundment Control
25 Act of 1974, insofar as they relate to consideration of re-

1 scission bills, shall apply to the consideration of concur-
2 rent resolutions and bills proposing changes reported pur-
3 suant to this subsection, amendments thereto, motions
4 and appeals with respect thereto, and conference reports
5 thereon.

6 (g) It shall not be in order in the Senate or the House
7 of Representatives to consider a bill or resolution reported
8 pursuant to subsection (b), (c), (d), or (f) which proposes
9 a reauthorization date for a program beyond the final re-
10 authorization date of the sunset reauthorization cycle then
11 in progress. Notwithstanding the preceding sentence, it
12 shall be in order to consider a bill or resolution for the
13 purpose of considering an amendment which meets the
14 requirements of this subsection.

15 **Subtitle II—Program Inventory**

16 SEC. 421. (a) The Comptroller General and the Di-
17 rector of the Congressional Budget Office, in cooperation
18 with the Director of the Congressional Research Service,
19 shall prepare an inventory of Federal programs (herein-
20 after in this subtitle referred to as the “program inven-
21 tory”).

22 (b) The purpose of the program inventory is to advise
23 and assist the Congress in carrying out the requirements
24 of subtitles A and C. Such inventory shall not in any way
25 bind the committees of the Senate or the House of Rep-

1 representatives with respect to their responsibilities under
2 such subtitles and shall not infringe on the legislative and
3 oversight responsibilities of such committees. The Comp-
4 troller General shall compile and maintain the inventory,
5 and the Director of the Congressional Budget Office shall
6 provide budgetary information for inclusion in the inven-
7 tory.

8 (c) Not later than January 1, 1995, the Comptroller
9 General, after consultation with the Director of the Con-
10 gressional Budget Office and the Director of the Congres-
11 sional Research Service, shall submit the program inven-
12 tory to the Senate and House of Representatives.

13 (d) In the report submitted under this section, the
14 Comptroller General, after consultation and in cooperation
15 with and consideration of the views and recommendations
16 of the Director of the Congressional Budget Office, shall
17 group programs into program areas appropriate for the
18 exercise of the review and reexamination requirements of
19 this subtitle. Such groupings shall identify program areas
20 in a manner which classifies each program in only one
21 functional and only one subfunctional category and which
22 is consistent with the structure of national needs, agency
23 missions, and basic programs developed pursuant to sec-
24 tion 1105 of title 31, United States Code.

1 (e) The program inventory shall set forth for each
2 program each of the following matters:

3 (1) The specific provision or provisions of law
4 authorizing the program.

5 (2) The committees of the Senate and the
6 House of Representatives which have legislative or
7 oversight jurisdiction over the program.

8 (3) A brief statement of the purpose or pur-
9 poses to be achieved by the program.

10 (4) The committees which have jurisdiction over
11 legislation providing new budget authority for the
12 program, including the appropriate subcommittees of
13 the Committees on Appropriations of the Senate and
14 the House of Representatives.

15 (5) The agency and, if applicable, the subdivi-
16 sion thereof responsible for administering the pro-
17 gram.

18 (6) The grants-in-aid, if any, provided by such
19 program to State and local governments.

20 (7) The next reauthorization date for the pro-
21 gram.

22 (8) A unique identification number which links
23 the program and functional category structure.

1 (9) The year in which the program was origi-
2 nally established and, where applicable, the year in
3 which the program expires.

4 (10) Where applicable, the year in which new
5 budget authority for the program was last author-
6 ized and the year in which current authorizations of
7 new budget authority expire.

8 (f) The inventory shall contain a separate tabular list-
9 ing of programs which are not required to be reauthorized
10 pursuant to section 411(c).

11 (g) The report also shall set forth for each program
12 whether the new budget authority provided for such
13 programs is—

14 (1) authorized for a definite period of time;

15 (2) authorized in a specific dollar amount but
16 without limit of time;

17 (3) authorized without limit of time or dollar
18 amounts;

19 (4) not specifically authorized; or

20 (5) permanently provided,

21 as determined by the Director of the Congressional
22 Budget Office.

23 (h) For each program or group of programs, the pro-
24 gram inventory also shall include information prepared by

1 the Director of the Congressional Budget Office indicating
2 each of the following matters:

3 (1) The amounts of new budget authority au-
4 thorized and provided for the program for each of
5 the preceding 2 bienniums and, where applicable, the
6 2 succeeding bienniums.

7 (2) The functional and subfunctional category
8 in which the program is presently classified and was
9 classified under the fiscal year 1993 budget.

10 (3) The identification code and title of the ap-
11 propriation account in which budget authority is
12 provided for the program.

13 SEC. 422. The General Accounting Office, the Con-
14 gressional Research Service, and the Congressional Budg-
15 et Office shall permit the mutual exchange of available in-
16 formation in their possession which would aid in the com-
17 pilation of the program inventory.

18 SEC. 423. The Office of Management and Budget,
19 and the Executive agencies and the subdivisions thereof
20 shall, to the extent necessary and possible, provide the
21 General Accounting Office with assistance requested by
22 the Comptroller General in the compilation of the program
23 inventory.

24 SEC. 424. Each committee of the Senate and the
25 House of Representatives, the Congressional Budget Of-

1 fice, and the Congressional Research Service shall review
2 the program inventory as submitted under section 421 and
3 not later than September 1, 1993, each shall advise the
4 Comptroller General of any revisions in the composition
5 or identification of programs and groups of programs
6 which it recommends. After full consideration of the re-
7 ports of all such committees and officials, the Comptroller
8 General in consultation with the committees of the Senate
9 and the House of Representatives shall report, not later
10 than May 1, 1995, a revised program inventory to the
11 Senate and the House of Representatives.

12 SEC. 425. (a) The Comptroller General, after the
13 close of each session of the Congress, shall revise the pro-
14 gram inventory and report the revisions to the Senate and
15 the House of Representatives.

16 (b) After the close of each session of the Congress,
17 the Director of the Congressional Budget Office shall pre-
18 pare a report, for inclusion in the revised inventory, with
19 respect to each program included in the program inventory
20 and each program established by law during such session,
21 which includes the amount of the new budget authority
22 authorized and the amount of new budget authority pro-
23 vided for the current biennium and each of the 2 succeed-
24 ing bienniums. If new budget authority is not authorized
25 or provided or is authorized or provided for an indefinite

1 amount for any of such 2 succeeding bienniums with re-
2 spect to any program, the Director shall make projections
3 of the amounts of such new budget authority necessary
4 to be authorized or provided for any such biennium to
5 maintain a current level of services.

6 (c) Not later than one year after the first or any sub-
7 sequent reauthorization date, the Director of the Congres-
8 sional Budget Office, in consultation with the Comptroller
9 General and the Director of the Congressional Research
10 Service, shall compile a list of the provisions of law related
11 to all programs subject to such reauthorization date for
12 which new budget authority was not authorized. The Di-
13 rector of the Congressional Budget Office shall include
14 such a list in the report required by subsection (b). The
15 committees with legislative jurisdiction over the affected
16 programs shall study the affected provisions and make any
17 recommendations they deem to be appropriate with regard
18 to such provisions to the Senate and the House of
19 Representatives.

20 SEC. 426. The Director of the Congressional Budget
21 Office and the Comptroller General shall include in their
22 respective reports to the Congress pursuant to section
23 202(f) of the Congressional Budget Act of 1974 and sec-
24 tion 719 of title 31, United States Code, an assessment
25 of the adequacy of the functional and subfunctional cat-

1 egories contained in section 411(b) of this title for group-
2 ing programs of like missions or objectives.

3 SEC. 427. (a) The Director of the Congressional
4 Budget Office shall tabulate and issue an annual report
5 on the progress of congressional action on bills and resolu-
6 tions reported by a committee of either House or passed
7 by either House which authorize the enactment of new
8 budget authority for programs.

9 (b) The report shall include an up-to-date tabulation
10 for the biennium beginning October 1 and the succeeding
11 2 bienniums of the amounts of budget authority (1) au-
12 thorized by law or proposed to be authorized in any bill
13 or resolution reported by any committee of the Senate or
14 the House of Representatives, or (2) if budget authority
15 is not authorized or proposed to be authorized for any of
16 the 2 bienniums, the amounts necessary to maintain a cur-
17 rent level of services for programs in the inventory.

18 (c) The Director of the Congressional Budget Office
19 shall issue periodic reports on the programs and the provi-
20 sions of laws which are scheduled for reauthorization in
21 each Congress pursuant to the reauthorization schedule
22 in section 411(b). In these reports, the Director shall iden-
23 tify each provision of law which authorizes the enactment
24 of new budget authority for programs scheduled for reau-
25 thorization and the title of the appropriation bill, or part

1 thereof, which would provide new budget authority pursu-
2 ant to each authorization.

3 **Subtitle C—Program** 4 **Reexamination**

5 SEC. 431. (a) Each committee of the Senate and the
6 House of Representatives periodically shall provide
7 through the procedures established in section 432, for the
8 conduct of a comprehensive reexamination of selected
9 programs or groups of programs over which it has
10 jurisdiction.

11 (b) In selecting programs and groups of programs for
12 reexamination, each committee shall consider each of the
13 following matters:

14 (1) The extent to which substantial time has
15 passed since the program or group of programs has
16 been in effect.

17 (2) The extent to which a program or group of
18 programs appears to require significant change.

19 (3) The resources of the committee with a view
20 toward undertaking reexaminations across a broad
21 range of programs.

22 (4) The desirability of examining related pro-
23 grams concurrently.

24 SEC. 432. (a)(1) The funding resolution first re-
25 ported by each committee of the Senate in 1995, and

1 thereafter for the first session of each Congress, shall in-
2 clude, and the first funding resolution introduced by each
3 committee of the House of Representatives (and referred
4 to the Committee on House Administration) for such year
5 and thereafter for the first session of each Congress shall
6 include, a section setting forth the committee's plan for
7 reexamination of programs under this subtitle. Such plan
8 shall include each of the following matters:

9 (A) The programs to be reexamined and the
10 reasons for their selection.

11 (B) The scheduled completion date for each
12 program reexamination, which date shall not be later
13 than the end of the Congress preceding the Congress
14 in which the reauthorization date applicable to a
15 program occurs as provided in section 411(b), unless
16 the committee explains in a statement in the report
17 accompanying its proposed funding resolution (in
18 the Senate), or in a statement supplied by the re-
19 spective committee and included in the report of the
20 Committee on House Administration (in the House
21 of Representatives), the reasons for a later comple-
22 tion date, except that reports on programs scheduled
23 for reauthorization during the 103d Congress may
24 be submitted at any time on or before February 15,
25 1995.

1 (C) The estimated cost for each reexamination.

2 (2) The report accompanying the funding resolution
3 reported by each committee of the Senate in 1995 and
4 thereafter for the first session of each Congress, shall in-
5 clude, and the report accompanying the funding resolution
6 reported by the Committee on House Administration with
7 respect to each committee of the House of Representatives
8 shall include, a statement of that committee, with respect
9 to each reexamination in its plan, of each of the following
10 matters:

11 (A) A description of the components of the
12 reexamination.

13 (B) A statement of whether the reexamination
14 is to be conducted (i) by the committee, or (ii) at the
15 request and under the direction of or under contract
16 with the committee, as the case may be, by one or
17 more instrumentalities of the legislative branch, one
18 or more instrumentalities of the executive branch, or
19 one or more nongovernmental organizations, or (iii)
20 by a combination of the foregoing.

21 (3) It shall not be in order to consider a funding reso-
22 lution with respect to a committee of the Senate or the
23 House of Representatives in 1995, and thereafter for the
24 first session of a Congress, unless—

1 (A) such resolution includes a section contain-
2 ing the information described in paragraph (1) and
3 the report accompanying such resolution contains
4 the information described in paragraph (2); and

5 (B) the report required by subsection (c) with
6 respect to each program reexamination scheduled for
7 completion during the preceding Congress by such
8 committee has been submitted for printing.

9 (4) It shall not be in order to consider an amendment
10 to the section of a funding resolution described in para-
11 graph (1) reported by a committee of the Senate for a
12 year, or reported by the Committee on House Administra-
13 tion with respect to a committee of the House of Rep-
14 resentatives for a year—

15 (A) if such amendment would require reexam-
16 ination of a program which has been reexamined by
17 such committee under this section during any of the
18 five preceding years;

19 (B) if such amendment would cause such sec-
20 tion not to contain the information described in
21 paragraph (1) with respect to each program to be
22 reexamined by such committee; or

23 (C) if notice of intention to propose such
24 amendment has not been given to such committee
25 and, in the case of an amendment in the Senate, to

1 the Committee on Rules and Administration of the
2 Senate, or, in the case of an amendment in the
3 House of Representatives, to the Committee on
4 House Administration, not later than January 20 of
5 the calendar year in which such year begins or the
6 first day of the session of the Congress in which
7 such year begins, whichever is later.

8 The notice required by subparagraph (C) shall include the
9 substance of the amendment intended to be proposed, and,
10 if such amendment would add one or more programs to
11 be reexamined, shall include the information described in
12 paragraphs (1) and (2) with respect to each such program.
13 Subparagraph (C) shall not apply to amendments pro-
14 posed by such committee or by the Committee on Rules
15 and Administration or House Administration, as the case
16 may be.

17 (b) In order to achieve coordination of program
18 reexamination each committee shall, in preparing each re-
19 examination plan required by subsection (a), consult with
20 appropriate committees of the Senate or appropriate com-
21 mittees of the House of Representatives, as the case may
22 be, and shall inform itself of related activities of and sup-
23 port or assistance that may be provided by (1) the General
24 Accounting Office, the Congressional Budget Office, the
25 Congressional Research Service, and the Office of Tech-

1 nology Assessment, and (2) appropriate instrumentalities
2 in the executive and judicial branches.

3 (c) Each committee shall prepare and have printed
4 a report with respect to each reexamination completed
5 under this subtitle. Each such report shall be delivered
6 to the Secretary of the Senate or the Clerk of the House
7 of Representatives, as the case may be, not later than the
8 date specified in the resolution and printed as a Senate
9 or House document, accordingly. To the extent permitted
10 by law or regulation, such number of additional copies as
11 the committee may order shall be printed for the use of
12 the committee. If two or more committees have legislative
13 jurisdiction over the same program or portions of the same
14 program, such committees may reexamine such program
15 jointly and submit a joint report with respect to such
16 reexamination.

17 (d) The report pursuant to subsection (c) shall set
18 forth the findings, recommendations, and justifications
19 with respect to the program, and shall include to the
20 extent the committee deems appropriate, each of the
21 following matters:

22 (1) An identification of the objectives intended
23 for the program and the problem it was intended to
24 address.

1 (2) An identification of any trends, develop-
2 ments, and emerging conditions which are likely to
3 affect the future nature and extent of the problems
4 or needs which the program is intended to address
5 and an assessment of the potential primary and sec-
6 ondary effects of the proposed program.

7 (3) An identification of any other program hav-
8 ing potentially conflicting or duplicative objectives.

9 (4) A statement of the number and types of
10 beneficiaries or persons served by the program.

11 (5) An assessment of the effectiveness of the
12 program and the degrees to which the original objec-
13 tives of the program or group of programs have been
14 achieved.

15 (6) An assessment of the cost effectiveness of
16 the program, including where appropriate, a cost-
17 benefit analysis of the operation of the program.

18 (7) An assessment of the relative merits of al-
19 ternative methods which could be considered to
20 achieve the purposes of the program.

21 (8) Information on the regulatory, privacy, and
22 paperwork impacts of the program.

23 (e) A report submitted pursuant to this section shall
24 be deemed to satisfy the reauthorization review require-
25 ments of subtitle A.

1 SEC. 433. Each department or agency of the execu-
2 tive branch which is responsible for the administration of
3 a program selected for reexamination pursuant to this
4 subtitle shall, not later than six months before the comple-
5 tion date specified for reexamination reports pursuant to
6 section 432(a)(1)(B), submit to the Office of Management
7 and Budget and to the appropriate committee or commit-
8 tees of the Senate and the House of Representatives a re-
9 port of its findings, recommendations, and justifications
10 with respect to each of the matters set forth in section
11 432(d), and the Office of Management and Budget shall
12 submit to such committee or committees such comments
13 as it deems appropriate.

14 SEC. 434. For the purposes of this subtitle—

15 (1) The term “funding resolution” means, with
16 respect to each committee of the House of Rep-
17 resentatives, the primary funding resolution for such
18 committee which is effective for the duration of a
19 Congress.

20 (2) An amendment to a funding resolution in-
21 cludes a resolution of the Senate which amends such
22 funding resolution.

23 **Subtitle D—Tax Expenditures**

24 SEC. 441. For purposes of this subtitle—

1 (1) The term “tax expenditure provision”
2 means any provision of Federal law—

3 (A) which allows a special exclusion, ex-
4 emption, or deduction in determining liability
5 for any tax or which provides a special credit
6 against any tax, a preferential rate of tax, or a
7 deferral of tax liability; and

8 (B) would cause a revenue loss of at least
9 \$2,000,000,000 in a biennium.

10 (2) The term “Committee on Ways and Means”
11 means the Committee on Ways and Means of the
12 House of Representatives.

13 (3) The term “Committee on Finance” means
14 the Committee on Finance of the Senate.

15 (4) The term “Joint Tax Committee” means
16 the Joint Committee on Taxation of the Congress.

17 SEC. 442. (a) Not later than July 1, 1995, the Direc-
18 tor of the Congressional Budget Office after consultation
19 with the Joint Tax Committee shall prepare an inventory
20 of tax expenditures provisions (hereinafter in this subtitle
21 referred to as the “tax inventory”) and submit a report
22 thereon to the Committee on Ways and Means and the
23 Committee on Finance. The report shall include for each
24 tax expenditure provision—

1 (1) the statute, regulation, ruling, or other cir-
2 cumstance which is the basis for the tax expenditure
3 provision;

4 (2) an identification of the tax against which
5 the tax expenditure provision allows a special exclu-
6 sion, exemption, or deduction in determining liability
7 or provides a special credit, a preferential rate of
8 tax, or a deferral of tax liability;

9 (3) a brief statement of the purpose or pur-
10 poses to be achieved by the tax expenditure provi-
11 sion;

12 (4) the period of time, if any, for which the tax
13 expenditure provision has been in effect;

14 (5) the estimated revenue loss from the tax ex-
15 penditure provision for the preceding 2 bienniums;

16 (6) an analysis of the distributional impact of
17 the tax expenditure provision; and

18 (7) the functional and subfunctional category of
19 the budget in which the tax expenditure provision is
20 classified.

21 (b) The General Accounting Office, the Congressional
22 Research Service, and the Office of Technology Assess-
23 ment shall provide the Congressional Budget Office and
24 the Joint Tax Committee with information requested
25 which would aid in the compilation of the tax inventory.

1 (c) The Department of the Treasury, the Office of
2 Management and Budget, and the other agencies shall, to
3 the extent necessary and possible, provide the Congres-
4 sional Budget Office and the Joint Tax Committee with
5 any assistance requested for the preparation of the tax
6 inventory.

7 SEC. 443. The Committee on Ways and Means and
8 the Committee on Finance shall review the tax inventory
9 submitted as provided in section 442 and, not later than
10 October 1, 1995, shall advise the Director of the Congres-
11 sional Budget Office of any proposed revisions in the com-
12 position or identification of tax expenditure provisions in
13 the tax inventory. After considering the advice of such
14 committees, such Director, in consultation with the Joint
15 Tax Committee, shall report, not later than December 1,
16 1995, a revised tax inventory to the House and the Senate.

17 SEC. 444. (a) The Director of the Congressional
18 Budget Office, after the close of each session of the Con-
19 gress, shall revise the tax inventory after consultation with
20 the Joint Tax Committee and issue a report on the revi-
21 sions thereto to the Senate and House of Representatives.
22 Such report shall indicate, with respect to each tax ex-
23 penditure provision established during such session, the
24 revenue loss which will result in the current biennium and
25 the 2 succeeding bienniums.

1 (b) The Director of the Congressional Budget Office
2 shall tabulate and issue periodic reports to the Senate and
3 the House of Representatives on the progress of congres-
4 sional action on bills and resolutions reported by the Com-
5 mittee on Ways and Means or the Committee on Finance
6 or passed by either House which affect tax expenditure
7 provisions and each new tax expenditure provision pro-
8 posed to be enacted by any bill or resolution reported, with
9 respect to the amount of revenue loss which would result
10 in the next biennium and each of the 2 succeeding
11 bienniums.

12 SEC. 445. (a) During the first session of the One
13 Hundred Fourth Congress, the Committee on Ways and
14 Means and the Committee on Finance shall report, and
15 the Congress shall complete action on, a bill prescribing
16 a schedule of reauthorization dates for all tax expenditure
17 provisions (other than those specifically exempted in the
18 bill) which are in the tax inventory, or, if not in such in-
19 ventory, which are in effect on the date of the enactment
20 of such bill or which have been enacted or otherwise estab-
21 lished as of such date and will become effective after such
22 date. Under such schedule there shall be 5 first reauthor-
23 ization dates for tax expenditure provisions beginning with
24 September 30, 1996, and continuing on September 30 of
25 each of the following 4 even-numbered years, and each

1 subsequent reauthorization date applicable to a tax ex-
2 penditure provision shall be the date 10 years following
3 the preceding reauthorization date.

4 (b) Upon enactment of the bill described in sub-
5 section (a), and subject to the rules and changes provided
6 pursuant to section 406, each tax expenditure provision
7 shall cease to be effective on January 1 of the year follow-
8 ing the first (or subsequent) reauthorization date provided
9 in the schedule adopted pursuant to subsection (a) and
10 the bills, resolutions, or amendments thereto enacted pur-
11 suant to subsection (d), unless it would otherwise cease
12 to be effective at an earlier date, or unless it is reauthor-
13 ized by a law enacted after the date of enactment of this
14 title.

15 (c) It shall not be in order in either the Senate or
16 the House of Representatives to consider a bill or resolu-
17 tion, or amendment thereto, which provides for the reau-
18 thorization of all or part of a tax expenditure provision
19 which is in the schedule adopted pursuant to subsection
20 (a) or which was enacted pursuant to subsection (d)—

- 21 (1) for an indefinite period of time,
- 22 (2) for a period exceeding 10 taxable years, or
- 23 (3) (except during the Congress in which the
24 next reauthorization date for such provision occurs)
25 for any taxable year beginning after the next reau-

1 thorization date applicable to such tax expenditure
2 provision.

3 (d) After the enactment of the bill described in sub-
4 section (a), it shall not be in order in either the Senate
5 or the House of Representatives to consider any bill or
6 resolution, or amendment thereto, which proposes the en-
7 actment of a tax expenditure provision (other than a reau-
8 thorization under subsection (c)) that does not have a re-
9 authorization date (and subsequent reauthorization dates)
10 which conform with the schedule provided in subsection
11 (a).

12 (e) Reauthorization dates shall be prescribed under
13 subsections (a) and (d) so as to provide for a review of
14 tax expenditure provisions during the same Congress as
15 the review under this title of programs and tax expendi-
16 ture provisions having similar objectives, consistent with
17 providing an even distribution of the work of reviewing
18 tax expenditure provisions during each Congress and tak-
19 ing into consideration the economic impact of the review
20 process and the interest of avoiding adverse impact on pre-
21 viously acquired assets.

22 SEC. 446. In carrying out the requirements of section
23 445 the Committee on Ways and Means, the Committee
24 on Finance, and the Congress may prescribe transition
25 rules and conforming and technical changes to minimize

1 unfairness, to mitigate any adverse effect which might re-
2 sult for taxpayers who have relied on a tax expenditure
3 provision, or to provide for an orderly end of the effective-
4 ness of any such provision.

5 SEC. 447. It shall not be in order in either the Senate
6 or the House of Representatives to consider a bill, resolu-
7 tion, or amendment thereto which proposes a reauthoriza-
8 tion date for a tax expenditure provision beyond the final
9 reauthorization date of the current sunset reauthorization
10 cycle.

11 SEC. 448. (a) It shall not be in order in either the
12 Senate or the House of Representatives to consider any
13 bill, resolution, or amendment thereto, which provides for
14 the reauthorization of a tax expenditure provision for a
15 taxable year beginning after the next reauthorization date
16 applicable to such provision, unless a reauthorization re-
17 view of such provision has been completed during the Con-
18 gress in which the reauthorization date for such provision
19 occurs, and the report accompanying such bill or resolu-
20 tion includes a recommendation as to whether the tax ex-
21 penditure provision should be continued without change,
22 continued with modifications, or terminated, and includes,
23 in the scope and detail the Committee on Ways and Means
24 and the Committee on Finance deem appropriate, the
25 following:

1 (1) information and analysis on the operation,
2 costs, results, accomplishments, and effectiveness of
3 the tax expenditure provision;

4 (2) an identification of any other tax expendi-
5 ture provisions or any other programs having similar
6 objectives, and a justification of the need for the
7 proposed tax expenditure in comparison with those
8 tax expenditure provisions or programs which may
9 be potentially conflicting or duplicative; and

10 (3) an identification of the objectives intended
11 for the tax expenditure provision, and the problem
12 or needs which the tax expenditure provision is in-
13 tended to address, including an analysis of the per-
14 formance expected to be achieved, based on the bill
15 or resolution as reported.

16 (b) It shall not be in order in either the Senate or
17 the House of Representatives to consider any bill, resolu-
18 tion, or amendment thereto, which proposes the enactment
19 of a new tax expenditure provision unless the bill, resolu-
20 tion, or amendment thereto is accompanied by a report
21 which sets forth, in the scope and detail the Committee
22 on Ways and Means and the Committee on Finance deem
23 appropriate, the information specified in subsections
24 (a)(2) and (a)(3) of this section.

1 **Subtitle E—Miscellaneous**

2 SEC. 451. Section 1108(e) of title 31, United States
3 Code, is amended by inserting before the period a comma
4 and “or at the request of a committee of either House
5 of Congress presented after the day on which the Presi-
6 dent transmits the budget to the Congress under section
7 1105 of this title for the biennium”.

8 SEC. 452. Nothing in this title shall require the public
9 disclosure of matters that are specifically authorized under
10 criteria established by an Executive order to be kept secret
11 in the interest of national defense or foreign policy and
12 are in fact properly classified pursuant to such Executive
13 order, or which are otherwise specifically protected by law.

14 SEC. 453. The provisions of this section and sections
15 411(a), 411(b), 411(c)(1), 411(c)(2), 411(c)(5), 412,
16 414(a), 414(c), 414(d), 414(e), 414(f), 414(g), subtitle C
17 (except section 433), sections 445 (c) and (d), 447, and
18 448, section 455, and section 456 of this title are enacted
19 by the Congress—

20 (1) as an exercise of the rulemaking power of
21 the Senate and the House of Representatives respec-
22 tively, and as such they shall be considered as part
23 of the rules of each House, respectively, or of that
24 House to which they specifically apply, and such

1 rules shall supersede other rules only to the extent
2 that they are inconsistent therewith; and

3 (2) with full recognition of the constitutional
4 right of either House to change such rules (so far
5 as relating to such House) at any time, in the same
6 manner, and to the same extent as in the case of
7 any other rule of such House.

8 SEC. 454. (a)(1) To assist in the review or reexam-
9 ination of a program, the head of an agency which admin-
10 isters such program and the head of any other agency,
11 when requested, shall provide to each committee of the
12 Senate and the House of Representatives which has legis-
13 lative jurisdiction over such program such studies, infor-
14 mation, analyses, reports, and assistance as the committee
15 may request.

16 (2) Not later than six months before the first reau-
17 thorization date specified for a program in section 411(b)
18 the head of the agency which administers such program
19 or the head of any other agency, when requested by a com-
20 mittee of the Senate or the House of Representatives, shall
21 conduct a review of those regulations currently promul-
22 gated and in use by that agency which the committee spe-
23 cifically has requested be reviewed and submit a report
24 to the Senate or the House of Representatives as the case
25 may be, setting forth the regulations that agency intends

1 to retain, eliminate, or modify if the program is reauthor-
2 ized and stating the basis for its decision.

3 (3) On or before October 1 of the year preceding the
4 beginning of the Congress in which occurs the reauthoriza-
5 tion date for a program, the Comptroller General shall fur-
6 nish to each committee of the Senate and the House of
7 Representatives which has legislative jurisdiction over
8 such program a listing of the prior audits and reviews of
9 such program completed during the preceding six years.

10 (4) Consistent with the discharge of the duties and
11 functions imposed by law on them or their respective Of-
12 fices or Service, the Comptroller General, the Director of
13 the Congressional Budget Office, the Director of the Of-
14 fice of Technology Assessment, and the Director of the
15 Congressional Research Service shall furnish to each com-
16 mittee of the Senate and the House of Representatives
17 such information, analyses, and reports as the committee
18 may request to assist it in conducting reviews or evalua-
19 tions of programs.

20 (b)(1) On or before October 1 of the year preceding
21 the beginning of the Congress in which occurs the reau-
22 thorization date for a program, the President, with the
23 cooperation of the head of each appropriate agency, shall
24 submit to the Congress a "Regulatory Duplication and

1 Conflicts Report” for all such programs scheduled for re-
2 authorization in the next Congress.

3 (2) Each such regulatory duplication and conflicts re-
4 port shall—

5 (A) identify regulatory policies, including data
6 collection requirements, of such programs or the
7 agencies which administer them, which duplicate or
8 conflict with each other or with rules or regulations
9 or regulatory policies of other programs or agencies,
10 and identify the provisions of law which authorize or
11 require such duplicative or conflicting regulatory
12 policies or the promulgation of such duplicative or
13 conflicting rules or regulations;

14 (B) identify the regulatory policies, including
15 data collection requirements, of such programs
16 which are, or which tend to be, duplicative of or in
17 conflict with rules or regulations or regulatory poli-
18 cies of State or local governments; and

19 (C) contain recommendations which address the
20 conflicts or duplications identified in subparagraphs
21 (A) and (B).

22 (3) The regulatory duplication and conflicts report
23 submitted by the President pursuant to this subsection
24 shall be referred to the committee or committees of the

1 House of Representatives and the Senate with legislative
2 jurisdiction over the programs affected by the reports.

3 SEC. 455. (a) Not later than 15 days after the begin-
4 ning of the second regular session of the Congress in
5 which occurs the reauthorization date applicable to a pro-
6 gram under section 411(b), the chairmen of the commit-
7 tees of the Senate and the House of Representatives hav-
8 ing legislative jurisdiction over such programs shall intro-
9 duce, in their respective Houses, a bill which, if enacted
10 into law, would constitute a required authorization (as de-
11 fined in section 411(c)(1)(B)), and such a bill (hereafter
12 in this section referred to as a “sunset reauthorization
13 bill”) shall be referred to the appropriate committee of the
14 Senate or the House of Representatives, as the case may
15 be. This subsection shall not apply in the case of a pro-
16 gram which has been reauthorized by a required author-
17 ization which was signed into law by the President prior
18 to fifteen days after the beginning of the second regular
19 session of the Congress in which occurs the reauthoriza-
20 tion date applicable to such program.

21 (b) If the committee to which a sunset reauthoriza-
22 tion bill for a program has not reported such bill by May
23 15 of the year in which the reauthorization date for such
24 program occurs, and no other bill which would constitute
25 a required authorization for such program has been en-

1 acted into law by that date, it is in order to move to dis-
2 charge the committee from further consideration of the
3 sunset reauthorization bill at any time thereafter.

4 (c) The provisions of section 912(a) of title 5, United
5 States Code, as it relates to the discharge of resolutions
6 of disapproval on reorganization plans, shall apply to mo-
7 tions to discharge sunset reauthorization bills, and the
8 provisions of subsections (b)(2), (c) (2) through (5), and
9 (d) of section 1017 of the Impoundment Control Act of
10 1974, insofar as they relate to the consideration of rescis-
11 sion bills shall apply to the consideration of such sunset
12 reauthorization bills, amendments thereto, motions and
13 appeals with respect thereto, and conference reports there-
14 on.

15 SEC. 456. The Committees on Governmental Affairs
16 and on Rules and Administration of the Senate and the
17 Committees on Government Operations and on Rules of
18 the House of Representatives shall review the operation
19 of the procedures established by this title, and shall submit
20 a report not later than December 31, 1998, and each five
21 years thereafter, setting forth their findings and rec-
22 ommendations. Such reviews and reports may be con-
23 ducted jointly.

24 SEC. 457. There are authorized to be appropriated
25 for bienniums ending before October 1, 2002, such sums

1 as may be necessary to carry out the review requirement
2 of subtitles A and C and the requirements for the compila-
3 tion of the inventory of Federal programs as set forth in
4 subtitle D.

5 **TITLE V—EXPEDITED**
6 **RESCISSION AUTHORITY**

7 **SEC. 501. EXPEDITED CONSIDERATION OF CERTAIN PRO-**
8 **POSED RESCISSIONS.**

9 (a) IN GENERAL.—Part B of title X of the Congres-
10 sional Budget and Impoundment Control Act of 1974 (2
11 U.S.C. 681 et seq.) is amended by redesignating sections
12 1013 through 1017 as sections 1014 through 1018, re-
13 spectively, and inserting after section 1012 the following
14 new section:

15 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED
16 RESCISSIONS

17 “SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET
18 AUTHORITY.—In addition to the method of rescinding
19 budget authority specified in section 1012, the President
20 may propose, at the time and in the manner provided in
21 subsection (b), the rescission of all or part of any budget
22 authority provided in an appropriations Act.

23 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

24 “(1) Not later than 10 days after the date on
25 which the President approves an appropriation Act,
26 the President may—

1 “(A) transmit to the Congress one or more
2 special messages proposing to rescind specific
3 line item amounts of budget authority provided
4 in that Act; and

5 “(B) transmit with each separate special
6 message a draft bill or joint resolution that, if
7 enacted, would rescind that specific budget
8 authority.

9 “(2) Each special message referred to in para-
10 graph (1) shall be limited to a single item of rescis-
11 sion of budget authority. If the bill or resolution en-
12 acted contains more than a single item of rescission,
13 the President shall transmit as many separate mes-
14 sages as there are items of rescission.

15 “(3) Each special message shall specify, with
16 respect to the budget authority proposed to be re-
17 scinded, the matters referred to in paragraphs (1)
18 through (5) of section 1012(a).

19 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
20 ATION.—

21 “(1)(A) On the date on which a special message
22 is transmitted to the Congress under subsection (b),
23 or as soon thereafter as possible, the majority leader
24 or minority leader of the House of the Congress in
25 which the appropriation Act involved first originated

1 shall introduce (by request) the draft bill or joint
2 resolution accompanying that special message. If the
3 bill or joint resolution is not introduced as provided
4 in the preceding sentence, then any Member of that
5 House may introduce the bill or joint resolution.

6 “(B) The bill or joint resolution shall be re-
7 ferred to the Committee on Appropriations of that
8 House. The committee shall report the bill or joint
9 resolution without substantive revision and with or
10 without recommendation. The bill or joint resolution
11 shall be reported not later than the end of the period
12 (not to exceed 7 days) established for consideration
13 of the bill or joint resolution by the Speaker of the
14 House of Representatives or the majority leader of
15 the Senate, as the case may be. A committee failing
16 to report the bill or joint resolution within such pe-
17 riod shall be automatically discharged from consider-
18 ation of the bill or joint resolution, and the bill or
19 joint resolution shall be placed on the appropriate
20 calendar.

21 “(C) A vote on final passage of the bill or joint
22 resolution shall be taken in that House on or before
23 the close of the 10th calendar day of continuous ses-
24 sion of the Congress after the date of the introduc-
25 tion of the bill or joint resolution in that House. If

1 the bill or joint resolution is agreed to, the Clerk of
2 the House of Representatives (in the case of a bill
3 or joint resolution agreed to in the House of Rep-
4 resentatives) or the Secretary of the Senate (in the
5 case of a bill or joint resolution agreed to in the
6 Senate) shall cause the bill or joint resolution to be
7 engrossed, certified, and transmitted to the other
8 House of the Congress on the same calendar day on
9 which the bill or joint resolution is agreed to.

10 “(2)(A) A bill or joint resolution transmitted to
11 the House of Representatives or the Senate pursu-
12 ant to paragraph (1)(C) shall be referred to the
13 Committee on Appropriations of that House. The
14 committee shall report the bill or joint resolution
15 without substantive revision and with or without rec-
16 ommendation. The bill or joint resolution shall be re-
17 ported not later than the end of the period (not to
18 exceed 7 days) established for consideration of the
19 bill or joint resolution by the Speaker of the House
20 of Representatives or the majority leader of the Sen-
21 ate, as the case may be. A committee failing to re-
22 port the bill or joint resolution within such period
23 shall be automatically discharged from consideration
24 of the bill or joint resolution, and the bill or joint

1 resolution shall be placed upon the appropriate
2 calendar.

3 “(B) A vote on final passage of a bill or joint
4 resolution transmitted to that House shall be taken
5 on or before the close of the 10th calendar day of
6 continuous session of the Congress after the date on
7 which the bill or joint resolution is transmitted. If
8 the bill or joint resolution is agreed to in that
9 House, the Clerk of the House of Representatives
10 (in the case of a bill or joint resolution agreed to in
11 the House of Representatives) or the Secretary of
12 the Senate (in the case of a bill or joint resolution
13 agreed to in the Senate) shall cause the engrossed
14 bill or joint resolution to be returned to the House
15 in which the bill or joint resolution originated, to-
16 gether with a statement of the action taken by the
17 House acting under this paragraph.

18 “(3)(A) A motion in the House of Representa-
19 tives to proceed to the consideration of a bill or joint
20 resolution under this section shall be highly privi-
21 leged and not debatable. An amendment to the mo-
22 tion shall not be in order, nor shall it be in order
23 to move to reconsider the vote by which the motion
24 is agreed to or disagreed to.

1 “(B) Debate in the House of Representatives
2 on a bill or joint resolution under this section shall
3 be limited to not more than 1 hour, which shall be
4 divided equally between those favoring and those op-
5 posing the bill or joint resolution. A motion further
6 to limit debate shall not be debatable and shall re-
7 quire an affirmative vote of two-thirds of the Mem-
8 bers voting, a quorum being present. It shall not be
9 in order to move to recommit a bill or joint resolu-
10 tion under this section or to move to reconsider the
11 vote by which the bill or joint resolution is agreed
12 to or disagreed to.

13 “(C) All appeals from the decisions of the Chair
14 relating to the application of the Rules of the House
15 of Representatives to the procedure relating to a bill
16 or joint resolution under this section shall be decided
17 without debate.

18 “(D) Except to the extent specifically provided
19 in the preceding provisions of this subsection, con-
20 sideration of a bill or joint resolution under this sec-
21 tion shall be governed by the Rules of the House of
22 Representatives applicable to other bills and joint
23 resolutions in similar circumstances.

24 “(4)(A) A motion in the Senate to proceed to
25 the consideration of a bill or joint resolution under

1 this section shall be privileged and not debatable. An
2 amendment to the motion shall not be in order, nor
3 shall it be in order to move to reconsider the vote
4 by which the motion is agreed to or disagreed to.

5 “(B) Debate in the Senate on a bill or joint res-
6 olution under this section, and all debatable motions
7 and appeals in connection therewith, shall be limited
8 to not more than 1 hour. The time shall be equally
9 divided between, and controlled by, the majority
10 leader and the minority leader or their designees.

11 “(C) Debate in the Senate on any debatable
12 motion or appeal in connection with a bill or joint
13 resolution under this section shall be limited to not
14 more than 1 hour, to be equally divided between,
15 and controlled by, the mover and the manager of the
16 bill or joint resolution, except that in the event the
17 manager of the bill or joint resolution is in favor of
18 any such motion or appeal, the time in opposition
19 thereto, shall be controlled by the minority leader or
20 his designee. Such leaders, or either of them, may,
21 from time under their control on the passage of a
22 bill or joint resolution, allot additional time to any
23 Senator during the consideration of any debatable
24 motion or appeal.

1 “(D) A motion in the Senate to further limit
2 debate on a bill or joint resolution under this section
3 is not debatable. A motion to recommit a bill or joint
4 resolution under this section is not in order.

5 “(d) AMENDMENTS PROHIBITED.—No amendment
6 to a bill or joint resolution considered under this section
7 shall be in order in either the House of Representatives
8 or the Senate. No motion to suspend the application of
9 this subsection shall be in order in either House, nor shall
10 it be in order in either House for the Presiding Officer
11 to entertain a request to suspend the application of this
12 subsection by unanimous consent.

13 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-
14 GATION.—Any amount of budget authority proposed to be
15 rescinded in a special message transmitted to the Congress
16 under subsection (b) shall be made available for obligation
17 after the date on which the Congress fails to pass the bill
18 or joint resolution transmitted with that special message.

19 “(f) APPROPRIATION ACT DEFINED.—For purposes
20 of this section, the term ‘appropriation Act’ means any
21 general or special appropriation Act, and any Act or joint
22 resolution making supplemental, deficiency, or continuing
23 appropriations.”.

24 (b) EXERCISE OF RULEMAKING POWERS.—Section
25 904 of such Act (2 U.S.C. 621 note) is amended—

1 (1) by striking out “and 1017” in subsection
2 (a) and inserting in lieu thereof “1013, and 1018”;
3 and

4 (2) by striking out “section 1017” in subsection
5 (d) and inserting in lieu thereof “sections 1013 and
6 1018”.

7 (c) CONFORMING AMENDMENTS.—

8 (1) Paragraph (5) of section 1011 of such Act
9 (2 U.S.C. 682(5)) is amended—

10 (A) by striking out “1012, and” and in-
11 serting in lieu thereof “1012, the time periods
12 referred to in subsections (c) and (d) of section
13 1013, and”;

14 (B) by striking out “1012 during” and in-
15 serting in lieu thereof “1012 or 1013 during”;

16 (C) by striking out “of 45” and inserting
17 in lieu thereof “of the applicable number of”;
18 and

19 (D) by striking out “45-day period re-
20 ferred to in paragraph (3) of this section and
21 in section 1012” and inserting in lieu thereof
22 “period or periods of time applicable under
23 such section”.

24 (2) Such section is further amended—

1 (A) in paragraph (4), by striking out
2 “1013” and inserting in lieu thereof “1014”;
3 and

4 (B) in paragraph (5)—

5 (i) by striking out “1016” and insert-
6 ing in lieu thereof “1017”; and

7 (ii) by striking out “1017(b)(1)” and
8 inserting in lieu thereof “1018(b)(1)”.

9 (3) Section 1015 of such Act (as redesignated
10 by section 3(a)) (2 U.S.C. 685) is amended—

11 (A) by striking out “1012 or 1013” each
12 place it appears and inserting in lieu thereof
13 “1012, 1013, or 1014”;

14 (B) in subsection (b)(1), by striking out
15 “1012” and inserting in lieu thereof “1012 or
16 1013”;

17 (C) in subsection (b)(2), by striking out
18 “1013” and inserting in lieu thereof “1014”;
19 and

20 (D) in subsection (e)(2)—

21 (i) by striking out “and” at the end of
22 subparagraph (A);

23 (ii) by redesignating subparagraph
24 (B) as subparagraph (C);

1 (iii) by striking out “1013” in sub-
2 paragraph (C) (as so redesignated) and in-
3 serting in lieu thereof “1014”; and

4 (iv) by inserting after subparagraph
5 (A) the following new subparagraph:

6 “(B) he has transmitted a special message
7 under section 1013 with respect to a proposed
8 rescission; and”.

9 (4) Section 1016 of such Act (as redesignated
10 by section 3(a)) (2 U.S.C. 686) is amended by strik-
11 ing out “1012 or 1013” each place it appears and
12 inserting in lieu thereof “1012, 1013, or 1014”.

13 (d) CLERICAL AMENDMENTS.—The table of sections
14 for subpart B of title X of such Act is amended—

15 (1) by redesignating the items relating to sec-
16 tions 1013 through 1017 as items relating to sec-
17 tions 1014 through 1018; and

18 (2) by inserting after the item relating to sec-
19 tion 1012 the following new item:

“Sec. 1013. Expedited consideration of certain proposed rescissions.”.

20 **SEC. 502. APPLICATION.**

21 Section 1013 of the Congressional Budget and Im-
22 poundment Control Act of 1974 (as added by section 501
23 of this Act) shall apply to amounts of budget authority
24 provided by appropriation Acts (as defined in subsection

1 (f)(2) of such section) that are enacted after the date of
2 the enactment of this Act.

3 **TITLE VI—PERFORMANCE-**
4 **BASED BUDGETING**

5 **SEC. 601. FINDINGS AND PURPOSES.**

6 (a) FINDINGS.—The Congress finds that—

7 (1) despite major efforts by the Congress and
8 the Executive Branch to improve the financial man-
9 agement of the Federal Government, unacceptable
10 waste and mismanagement persists in Federal pro-
11 grams;

12 (2) waste and mismanagement place an intoler-
13 able burden on the limited resources of important
14 Federal programs, reducing the ability of such pro-
15 grams to adequately address vital needs;

16 (3) much of the public's opposition to increased
17 taxes is based on a belief that taxpayers are not get-
18 ting full value for their tax dollar;

19 (4) because financial management systems
20 focus on how money is spent, but not on how well
21 it is spent and the value received for it, the Federal
22 Government is handicapped in its ability to identify
23 wasteful or ineffective programs; and

24 (5) the Congress is further handicapped in its
25 ability to conduct adequate and thorough oversight

1 of Federal programs, because few programs have
2 measurable goals against which to track and com-
3 pare performance.

4 (b) PURPOSES.—The purposes of this title are—

5 (1) to strengthen Government accountability by
6 showing the American taxpayers what results to ex-
7 pect for their tax dollars when a program is funded,
8 and what results the taxpayers actually receive;

9 (2) to improve congressional oversight and the
10 uncovering of waste and mismanagement, by requir-
11 ing that measurable performance standards and
12 goals be established for all Federal programs and
13 that each Federal department and agency issue an
14 annual program performance report showing pro-
15 gram accomplishment;

16 (3) to free additional resources for vital Federal
17 programs, by reducing waste, reforming or eliminat-
18 ing ineffective programs, and allowing the targeting
19 of funds to those programs achieving the best re-
20 sults;

21 (4) to change the Federal budget from a politi-
22 cal document into a policy-making and management
23 tool, by requiring that the budget incorporate a per-
24 formance standards and goals plan for Federal
25 spending.

1 **SEC. 602. PERFORMANCE STANDARDS AND GOALS PLANS.**

2 (a) BUDGET CONTENTS AND SUBMISSION TO CON-
3 GRESS.—Section 1105(a) of title 31, United States Code,
4 is amended by adding at the end thereof the following new
5 paragraph:

6 “(29) a Federal performance standards and
7 goals plan for the overall budget as provided for
8 under section 1115.”.

9 (b) PERFORMANCE STANDARDS AND GOALS
10 PLANS.—Chapter 11 of title 31, United States Code, is
11 amended by adding after section 1114 the following new
12 sections:

13 **“§ 1115. Performance standards and goals plans**

14 “(a) In carrying out the provisions of section
15 1105(a)(29), the Office of Management and Budget shall
16 promulgate regulations requiring each department and
17 agency to establish a performance standards and goals
18 plan for each major expenditure category of the budget
19 of such department or agency. Such plan shall—

20 “(1) establish performance indicators to be used
21 to define and measure the outputs, products, serv-
22 ices, and results of each expenditure allocated;

23 “(2) establish performance standards and goals
24 to define and measure the specific service or product
25 to be achieved or produced for the expenditure allo-
26 cated;

1 “(3) express such standards and goals in an ob-
2 jective, quantifiable, and measurable form unless
3 permitted in an alternative form under subsection
4 (b);

5 “(4) establish major expenditure categories of
6 related functions of such agency or department for
7 the analysis of performance standards and goals;

8 “(5) include actual program results compared
9 with original performance standards and goals, inte-
10 grated with program cost information, to show
11 trends in costs per unit-of-result, unit-of-service, or
12 other unit-of-output;

13 “(6) review the success of achieving the per-
14 formance standards and goals of the preceding bien-
15 nium; and

16 “(7) evaluate the performance standards and
17 goals for the biennium relative to the results
18 achieved for the performance standards and goals in
19 the preceding biennium.

20 “(b) If the Office of Management and Budget deter-
21 mines that it is not feasible to express the performance
22 standards and goals of a particular program in an expend-
23 iture category in an objective and quantifiable form, the
24 Office of Management and Budget may authorize an alter-

1 native form. Such alternative form shall include separate
2 descriptive statements of both—

3 “(1) a minimally effective program, and

4 “(2) a successful program,

5 with sufficient precision and in such terms that would
6 allow for an accurate, independent determination of
7 whether the program’s performance meets the criteria of
8 either description.

9 “(c) The Office of Management and Budget shall re-
10 view and adjust the department and agency plans estab-
11 lished under subsection (a) and establish an overall per-
12 formance standards and goals plan for the Federal Gov-
13 ernment.

14 **“§ 1116. Program performance reports**

15 “(a) By December 31 of each odd-numbered year, the
16 head of each department and agency shall prepare and
17 submit to the President and the Congress, a report on the
18 program performance for the previous biennium.

19 “(b) Each program performance report shall enumer-
20 ate all performance indicators established in the depart-
21 mental or agency performance standards and goals plan,
22 along with the performance goals and the actual results
23 achieved for the previous biennium and the goals for the
24 current biennium. Program costs and, where applicable,
25 trends in costs per unit-of-result, unit-of-service, or other

1 unit-of-output shall be shown. Where the performance
2 standards and goals are specified by descriptive state-
3 ments of a minimally effective program and a successful
4 program, the results of such program shall be described
5 in relationship to those categories, including whether the
6 results failed to meet the criteria of either category.

7 “(c) Where a performance standard or goal has not
8 been met, including when a program’s results are not de-
9 termined to have met the criteria of a successful program,
10 the report shall explain—

11 “(1) why the goal was not met, including an in-
12 dication of any managerial deficiencies or of any
13 legal obstacles;

14 “(2) plans and schedule for achieving the estab-
15 lished performance goal;

16 “(3) recommended legislative or regulatory
17 changes necessary to achieve the goal; and

18 “(4) if the performance standard or goal is im-
19 practical or infeasible, why that is the case and what
20 action is recommended, including whether the goal
21 should be changed or the program altered or elimi-
22 nated.

23 “(d) By December 31 of each odd-numbered year, the
24 Office of Management and Budget shall prepare and sub-
25 mit to the President and the Congress, a report on all

1 tax expenditures that reduced revenues by at least \$2 bil-
2 lion in the previous biennium.”.

3 (c) TECHNICAL AND CONFORMING AMENDMENT.—
4 The table of sections for chapter 11 of title 31, United
5 States Code, is amended by adding after the item relating
6 to section 1114 the following new items:

“1115. Performance standards and goals plans.

“1116. Program performance reports.”.

7 **SEC. 603. CONGRESSIONAL ESTABLISHMENT OF PERFORM-**
8 **ANCE STANDARDS AND GOALS.**

9 (a) IN GENERAL.—It shall not be in order for either
10 the House of Representatives or the Senate to consider
11 any bill or resolution (or amendment thereto) which pro-
12 vides for the authorization of appropriations or for the ap-
13 propriation of funds, unless such bill or resolution (or
14 amendment thereto) specifies performance standards and
15 goals for such authorization or appropriation.

16 (b) PERFORMANCE STANDARDS AND GOALS.—(1)
17 The program performance standards and goals required
18 under subsection (a) shall—

19 (A) specify either—

20 (i) objective, quantifiable, and measurable
21 standards and goals expected to be achieved, or

22 (ii) separate descriptive statements of a
23 minimally effective program and of a successful
24 program, with sufficient precision and in such

1 terms that would allow for an accurate, inde-
2 pendent determination of whether the pro-
3 gram's performance meets the criteria of either
4 description;

5 (B) include indicators of cost per unit-of-result,
6 unit-of-service, or other unit-of-output, of the type
7 specified in the legislation authorizing the appropria-
8 tion or relevant program; and

9 (C) be established after review of the plan es-
10 tablished under section 1115 of title 31, United
11 States Code.

12 (2) An appropriation Act may specify a lesser amount
13 of a performance standard or goal to be achieved than is
14 provided by the authorizing legislation, but may not
15 change the specific type of standard or goal.

16 (c) WAIVER.—This section may be waived or sus-
17 pended in the Senate only by the affirmative vote of three-
18 fifths of the Members, duly chosen and sworn, and in the
19 House of Representatives only by resolution reported by
20 the Committee on Rules and adopted by the House.

1 **TITLE VII—INCREMENTAL-**
2 **BASED BUDGETING**

3 **SEC. 701. INCREMENTAL-BASED BUDGETING**

4 (a) INCREMENTAL-BASED BUDGETING REGULA-
5 TIONS.—Section 1109 of chapter 11 of title 31, United
6 States Code, is amended to read as follows:

7 **“§ 1109. Incremental-based budgeting**

8 “(a) The Office of Management and Budget shall
9 promulgate regulations requiring each department and
10 agency to require that—

11 “(1) officers and employees who submit budgets
12 to the head of that department or agency—

13 “(A) be required to submit at least 2 budg-
14 ets: one that sets forth spending at least 5 per-
15 cent lower than the prior biennium’s budget
16 and the other that sets forth spending at least
17 15 percent lower than the prior biennium’s
18 budget; and

19 “(B) in such budgets detail specific gains
20 and losses of project performance at each such
21 incremental budget level as compared to other
22 proposed budget levels; and

23 “(2) the head of each department or agency
24 submit to the Office of Management and Budget at
25 least one budget for that department or agency that

1 sets forth spending at least 10 percent lower than
2 the prior biennium's budget.

3 “(b) Whenever the Office of Management and Budget
4 reports an estimated budget deficit under section 105(a)
5 of the Comprehensive Budget Process Reform Act of
6 1993, not later than October 15 of that calendar year,
7 the President shall submit to Congress a report that would
8 either—

9 “(1) recommend specific changes in outlays or
10 revenues sufficient to eliminate that deficit, or

11 (2) recommend waiver of the requirement to
12 eliminate that deficit.”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—
14 The item relating to section 1109 in the table of sections
15 for chapter 11 of title 31, United States Code, is amended
16 to read as follows:

“1109. Incremental-based budgeting.”.

○

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HR 1138 IH—3

HR 1138 IH—4

HR 1138 IH—5

HR 1138 IH—6

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