

118TH CONGRESS
1ST SESSION

H. R. 1206

To establish the Federal Agency Sunset Commission.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2023

Mr. CLOUD (for himself, Mr. DONALDS, Mr. GOOD of Virginia, Mr. NORMAN, Mr. PERRY, Ms. VAN DUYNE, Mrs. MILLER of Illinois, Mr. OGLES, Mr. BRECHEEN, Mr. BURLISON, Mr. MOORE of Alabama, Mr. WEBER of Texas, Mrs. BOEBERT, Mrs. LUNA, and Mr. MCCORMICK) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Federal Agency Sunset Commission.

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 “Federal Agency Sunset
5 Commission Act of 2023”.

1 **SEC. 2. REVIEW AND ABOLISHMENT OF FEDERAL AGEN-**
2 **CIES.**

3 (a) SCHEDULE FOR REVIEW.—(1) Not later than one
4 year after the date of the enactment of this Act, the Fed-
5 eral Agency Sunset Commission established under section
6 3 shall submit to Congress a schedule for review by the
7 Commission of each agency that lists the date of abolish-
8 ment for each agency.

9 (2) Such date of abolishment shall occur at least once
10 every 12 years (or less, if determine appropriate by Con-
11 gress).

12 (3) The Schedule for review will be in the form of
13 a joint resolution.

14 (b) REVIEW OF AGENCIES PERFORMING RELATED
15 FUNCTIONS.—In determining the schedule for review of
16 agencies under subsection (a), the Commission shall pro-
17 vide that agencies that perform similar or related func-
18 tions be reviewed concurrently to promote efficiency and
19 consolidation.

20 (c) ABOLISHMENT OF AGENCIES.—

21 (1) IN GENERAL.—Each agency shall be re-
22 viewed and abolished according to the schedule cre-
23 ated pursuant to this section and approved under
24 section 9, unless the agency is reauthorized by the
25 Congress.

1 (2) EXTENSION.—The date of abolishment for
2 an agency may be extended for an additional 2 years
3 if the Congress enacts legislation extending such
4 date by a vote of a supermajority of the House of
5 Representatives and the Senate.

6 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—There is established a com-
8 mission to be known as the “Federal Agency Sunset Com-
9 mission”.

10 (b) MEMBERSHIP.—

11 (1) The Commission shall be composed of 13
12 members (in this Act referred to as the “members”)
13 who shall be appointed as follows:

14 (A) 1 shall be appointed by the President.

15 (B) 3 shall be appointed by the majority
16 leader of the Senate, of whom—

17 (i) 2 shall be from among Members of
18 the Senate; and

19 (ii) 1 shall not be Member of Con-
20 gress and shall have expertise in the oper-
21 ation and administration of Federal Gov-
22 ernment programs.

23 (C) 3 shall be appointed by the minority
24 leader of the Senate, of whom—

1 (i) 2 shall be from among Members of
2 the Senate; and

3 (ii) 1 shall not be Member of Con-
4 gress and shall have expertise in the oper-
5 ation and administration of Federal Gov-
6 ernment programs.

7 (D) 3 shall be appointed by the Speaker of
8 the House of Representatives, of whom—

9 (i) 2 shall be from among Members of
10 the House of Representatives; and

11 (ii) 1 shall not be Member of Con-
12 gress and shall have expertise in the oper-
13 ation and administration of Federal Gov-
14 ernment programs.

15 (E) 3 shall be appointed by the minority
16 leader of the House of Representatives, of
17 whom—

18 (i) 2 shall be from among Members of
19 the House of Representatives; and

20 (ii) 1 shall not be Member of Con-
21 gress and shall have expertise in the oper-
22 ation and administration of Federal Gov-
23 ernment programs.

24 (c) CONTINUATION OF MEMBERSHIP.—If a member
25 was appointed to the Commission as a Member of Con-

gress and the member ceases to be a Member of Congress,
that member shall cease to be a member of the Commission.

(d) INITIAL APPOINTMENTS.—All initial appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(e) TERMS OF MEMBERS.—

(1) IN GENERAL.—Each member appointed to the Commission shall serve for a term of 6 years.

(2) VACANCIES.—A vacancy in the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment not later than 30 days after the date on which the vacancy occurs.

(f) CHAIRMAN; VICE CHAIRMAN.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission for a term of 4 years.

(g) POWERS OF COMMISSION.—

(1) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evi-

1 dence as the Commission considers appropriate. The
2 Commission may administer oaths to witnesses ap-
3 pearing before it.

4 (2) OBTAINING INFORMATION.—

5 (A) IN GENERAL.—The Commission may
6 secure directly from any agency or advisory
7 committee information necessary to enable it to
8 carry out its duties under this Act.

9 (B) FURNISHING INFORMATION.—On re-
10 request of the Chairperson of the Commission,
11 the head of the agency, or the Chair of the ad-
12 visory committee shall furnish information to
13 the Commission in a full and timely manner.

14 (3) SUBPOENA POWER.—

15 (A) AUTHORITY TO ISSUE SUBPOENA.—
16 The Commission may issue a subpoena to re-
17 quire the attendance and testimony of witnesses
18 and the production of evidence relating to any
19 matter under investigation by the Commission.

20 (B) COMPLIANCE WITH SUBPOENA.—If a
21 person refuses to obey an order or subpoena of
22 the Commission that is issued in connection
23 with a Commission proceeding, the Commission
24 may apply to the United States district court in
25 the judicial district in which the proceeding is

1 held for an order requiring the person to com-
2 ply with the subpoena or order.

3 (4) IMMUNITY.—The Commission is an agency
4 of the United States for purposes of part V of title
5 18, United States Code (relating to immunity of wit-
6 nesses).

7 (5) CONTRACT AUTHORITY.—The Commission
8 may contract with and compensate government and
9 private agencies or persons for services without re-
10 gard to section 6101 of title 41, United States Code
11 (relating to advertising requirement for Federal Gov-
12 ernment purchases and sales).

13 (h) COMMISSION PROCEDURES.—

14 (1) INITIAL MEETING.—Not later than 45 days
15 after the date on which all members of the Commis-
16 sion have been appointed, the Commission shall hold
17 the first meeting of the Commission.

18 (2) MEETINGS.—The Commission shall meet at
19 the call of the Chairman and not less than 2 times
20 per year.

21 (3) QUORUM.—A majority of the members of
22 the Commission shall constitute a quorum.

23 (4) VOTING.—The schedule for review sub-
24 mitted pursuant to section 2(a) and the report and
25 joint resolution submitted pursuant to section 4

1 shall have the approval of not less than a majority
2 of the members of the Commission.

3 (i) PERSONNEL MATTERS.—

4 (1) COMPENSATION.—Members shall not be
5 paid by reason of their service as members.

6 (2) TRAVEL EXPENSES.—Each member shall
7 receive travel expenses, including per diem in lieu of
8 subsistence in accordance with applicable provisions
9 under subchapter I of chapter 57 of title 5, United
10 States Code.

11 (3) DIRECTOR.—The Commission shall have an
12 executive director who shall be appointed and termi-
13 nated by the Chairperson of the Commission.

14 (A) The executive director must be con-
15 firmed by a vote of at least seven members of
16 the Commission.

17 (B) The Director may appoint and fix the
18 pay of additional personnel as the Director con-
19 siders appropriate.

20 (4) APPLICABILITY OF CERTAIN CIVIL SERVICE
21 LAWS.—The Director and staff of the Commission
22 shall be appointed subject to the provisions of title
23 5, United States Code, governing appointments in
24 the competitive service, and shall be paid in accord-
25 ance with the provisions of chapter 51 and sub-chap-

1 ter III of chapter 53 of that title relating to classi-
2 fication and General Schedule pay rates.

3 (j) OTHER ADMINISTRATIVE MATTERS.—

4 (1) POSTAL AND PRINTING SERVICES.—The
5 Commission may use the United States mails and
6 obtain printing and binding services in the same
7 manner and under the same conditions as other de-
8 partments and agencies of the Federal Government.

9 (2) ADMINISTRATIVE SUPPORT SERVICES.—
10 Upon the request of the Commission, the Adminis-
11 trator of General Services shall provide to the Com-
12 mission, on a reimbursable basis, the administrative
13 support services necessary for the Commission to
14 carry out its duties under this Act.

15 (3) EXPERTS AND CONSULTANTS.—The Com-
16 mission may procure temporary and intermittent
17 services under section 3109(b) of title 5, United
18 States Code.

19 (4) GIFTS.—The Commission may accept, use,
20 and dispose of gifts or donations of services or prop-
21 erty.

1 **SEC. 4. REVIEW OF EFFICIENCY AND NEED FOR FEDERAL**
2 **AGENCIES.**

3 (a) IN GENERAL.—The Commission shall review the
4 efficiency and public need for each agency using criteria
5 described in section 5.

6 (b) RECOMMENDATIONS; REPORT TO CONGRESS.—
7 The Commission shall submit to Congress and the Presi-
8 dent not later than September 1 of each year a report
9 containing—

10 (1) an analysis of the efficiency of operation
11 and public need for each agency to be reviewed in
12 the year in which the report is submitted pursuant
13 to the schedule submitted to Congress under section
14 2;

15 (2) an analysis of authority claimed by the ex-
16 ecutive branch but not specifically authorized by
17 statute;

18 (3) recommendations on whether each such
19 agency should be abolished, reorganized, or contin-
20 ued;

21 (4) recommendations on whether the functions
22 of any other agencies should be consolidated, trans-
23 ferred, or reorganized in an agency to be reviewed
24 in the year in which the report is submitted pursu-
25 ant to the schedule submitted to Congress under
26 section 2; and

1 (5) recommendations for administrative and
2 legislative action with respect to each such agency,
3 but not including recommendations for appropriation
4 levels.

5 (c) JOINT RESOLUTION.—The Commission shall sub-
6 mit to Congress and the President not later than Sep-
7 tember 1 of each year a joint resolution to carry out the
8 recommendations of the Commission under subsection (b).

9 (d) INFORMATION GATHERING.—The Commission
10 shall—

11 (1) conduct public hearings on the abolishment
12 of each agency reviewed under subsection (b);

13 (2) provide an opportunity for public comment
14 on the abolishment of each such agency;

15 (3) require the agency to provide information to
16 the Commission as appropriate; and

17 (4) consult with the General Accountability Of-
18 fice, the Office of Management and Budget, the
19 Comptroller General, and the chairman and ranking
20 minority members of the committees of Congress
21 with oversight responsibility for the agency being re-
22 viewed regarding the operation of the agency.

23 (e) USE OF PROGRAM INVENTORY.—The Commis-
24 sion shall use the program inventory prepared under sec-

1 tion 9 in reviewing the efficiency and public need for each
2 agency under subsection (a).

3 **SEC. 5. CRITERIA FOR REVIEW.**

4 The Commission shall evaluate the efficiency and
5 public need for each agency pursuant to section 4 using
6 the following criteria:

7 (1) The effectiveness, and the efficiency of the
8 operation of, the programs carried out by each such
9 agency.

10 (2) Whether the programs carried out by the
11 agency are cost-effective.

12 (3) Whether the agency has acted outside the
13 scope of its original authority, and whether the origi-
14 nal objectives of the agency have been achieved.

15 (4) Whether less restrictive or alternative meth-
16 ods exist to carry out the functions of the agency.

17 (5) The extent to which the jurisdiction of, and
18 the programs administered by, the agency duplicate
19 or conflict with the jurisdiction and programs of
20 other agencies.

21 (6) The potential benefits of consolidating pro-
22 grams administered by the agency with similar or
23 duplicative programs of other agencies, and the po-
24 tential for consolidating such programs.

1 (7) The number and types of beneficiaries or
2 persons served by programs carried out by the agen-
3 cy.

4 (8) The extent to which any trends, develop-
5 ments, and emerging conditions that are likely to af-
6 fect the future nature and extent of the problems or
7 needs that the programs carried out by the agency
8 are intended to address.

9 (9) The extent to which the agency has com-
10 plied with the applicable provisions contained in the
11 sections 1115, 1116, 1117, 1120, 1121, 1122, 1123,
12 1124, 1125, and the first 9703 of title 31, United
13 States Code, section 306 of title 5, United States
14 Code, and chapter 28 of title 39, United States
15 Code.

16 (10) The promptness and effectiveness with
17 which the agency seeks public input and input from
18 State and local governments on the efficiency and ef-
19 fectiveness of the performance of the functions of
20 the agency.

21 (11) Whether the agency has worked to enact
22 changes in the law that are intended to benefit the
23 public as a whole rather than the specific business,
24 institution, or individuals that the agency regulates.

1 (12) The extent to which the agency has en-
2 couraged participation by the public as a whole in
3 making its rules and decisions rather than encour-
4 aging participation solely by those it regulates.

5 (13) The extent to which the public participa-
6 tion in rulemaking and decision making of the agen-
7 cy has resulted in rules and decisions compatible
8 with the objectives of the agency.

9 (14) The extent to which the agency complies
10 with equal employment opportunity requirements re-
11 garding equal employment opportunity.

12 (15) The extent of the regulatory, privacy, and
13 paperwork impacts of the programs carried out by
14 the agency.

15 (16) The extent to which the agency has coordi-
16 nated with State and local governments in per-
17 forming the functions of the agency.

18 (17) The potential effects of abolishing the
19 agency on State and local governments.

20 (18) The extent to which changes are necessary
21 in the authorizing statutes of the agency in order
22 that the functions of the agency can be performed
23 in the most efficient and effective manner.

1 **SEC. 6. OVERSIGHT BY COMMISSION.**

2 (a) MONITORING OF IMPLEMENTATION OF REC-
3 OMMENDATIONS.—The Commission shall monitor imple-
4 mentation of laws enacting provisions that incorporate rec-
5 ommendations of the Commission with respect to abolish-
6 ment or reorganization of agencies.

7 (b) MONITORING OF OTHER RELEVANT LEGISLA-
8 TION.—

9 (1) IN GENERAL.—The Commission shall review
10 and report to Congress on all legislation introduced
11 in either house of Congress that would establish—

12 (A) a new agency; or

13 (B) a new program to be carried out by an
14 existing agency.

15 (2) REPORT TO CONGRESS.—The Commission
16 shall include in each report submitted to Congress
17 under paragraph (1) an analysis of whether—

18 (A) the functions of the proposed agency
19 or program could be carried out by one or more
20 existing agencies;

21 (B) the functions of the proposed agency
22 or program could be carried out in a less re-
23 strictive manner than the manner proposed in
24 the legislation; and

1 (C) the legislation provides for public input
2 regarding the performance of functions by the
3 proposed agency or program.

4 **SEC. 7. DISPOSITION OF AGENCY AFFAIRS.**

5 The President, in consultation with the head of an
6 agency determined to be abolished pursuant to section
7 2(c), shall take such action as may be necessary to wind
8 down the operation of such agency during the one year
9 period following the date of abolishment for each such
10 agency including the designation of an agency to carry out
11 any ongoing authority, maintain custodial records, act as
12 a party to unresolved legal actions or other obligations
13 that cannot be resolved within one year.

14 **SEC. 8. PROGRAM INVENTORY.**

15 (a) PREPARATION.—The Comptroller General and
16 the Director of the Congressional Budget Office, in co-
17 operation with the Director of the Congressional Research
18 Service, shall prepare an inventory of Federal programs
19 (in this Act referred to as the “program inventory”) with-
20 in each agency.

21 (b) PURPOSE.—The purpose of the program inven-
22 tory is to advise and assist the Congress and the Commis-
23 sion in carrying out the requirements of this Act. Such
24 inventory shall not in any way bind the committees of the
25 Senate or the House of Representatives with respect to

1 their responsibilities under this Act and shall not infringe
2 on the legislative and oversight responsibilities of such
3 committees. The Comptroller General shall compile and
4 maintain the inventory and the Director of the Congressional Budget Office shall provide budgetary information
5 for inclusion in the inventory.
6

7 (c) INVENTORY CONTENT.—The program inventory
8 shall set forth for each program each of the following matters:
9

10 (1) The specific provision or provisions of law
11 authorizing the program.

12 (2) The committees of the Senate and the
13 House of Representatives which have legislative or
14 oversight jurisdiction over the program.

15 (3) A brief statement of the purpose or purposes to be achieved by the program.

17 (4) The committees which have jurisdiction over
18 legislation providing new budget authority for the
19 program, including the appropriate subcommittees of
20 the Committees on Appropriations of the Senate and
21 the House of Representatives.

22 (5) The agency and, if applicable, the subdivision thereof responsible for administering the program.
24

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

3 (7) The next reauthorization date for the pro-
4 gram.

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

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

10 (10) Where applicable, the year in which new
11 budget authority for the program was last author-
12 ized and the year in which current authorizations of
13 new budget authority expire.

14 (11) Any other information the Commission de-
15 termines to be necessary.

16 (d) BUDGET AUTHORITY.—The report also shall set
17 forth for each program whether the new budget authority
18 provided for such program is—

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

20 (2) authorized in a specific dollar amount but
21 without limit of time;

22 (3) authorized without limit of time or dollar
23 amounts;

24 (4) not specifically authorized; or

1 (5) permanently provided, as determined by the
2 Director of the Congressional Budget Office.

3 (e) CBO INFORMATION.—For each program or group
4 of programs, the program inventory also shall include in-
5 formation prepared by the Director of the Congressional
6 Budget Office indicating each of the following matters:

7 (1) The amounts of new budget authority au-
8 thorized and provided for the program for each of
9 the preceding four fiscal years and, where applicable,
10 the four succeeding fiscal years.

11 (2) The functional and subfunctional category
12 in which the program is presently classified and was
13 classified under the fiscal year 2020 budget.

14 (3) The identification code and title of the ap-
15 propriation account in which budget authority is
16 provided for the program.

17 (f) MUTUAL EXCHANGE OF INFORMATION.—The
18 General Accountability Office, the Congressional Research
19 Service, and the Congressional Budget Office shall permit
20 the mutual exchange of available information in their pos-
21 session which would aid in the compilation of the program
22 inventory.

23 (g) ASSISTANCE BY EXECUTIVE BRANCH.—The Of-
24 fice of Management and Budget and the agencies (and the
25 subdivisions thereof) shall, to the extent necessary and

1 possible, provide the General Accountability Office with
2 assistance requested by the Comptroller General in the
3 compilation of the program inventory. Such communica-
4 tions shall be treated as confidential until a report is
5 issued under section 4(b).

6 **SEC. 9. EXPEDITED CONSIDERATION FOR SCHEDULE FOR**
7 **REVIEW.**

8 (a) INTRODUCTION AND COMMITTEE CONSIDER-
9 ATION.—

10 (1) INTRODUCTION.—A joint resolution shall be
11 introduced in the Senate by the majority leader, or
12 the majority leader's designee, and in the House of
13 Representatives, by the Speaker, or the Speaker's
14 designee not later than 60 days after the date on
15 which the proposed legislation is submitted to Con-
16 gress. Upon such introduction, the Commission
17 schedule for review bill shall be referred to the ap-
18 propriate committees of Congress under paragraph
19 (2). If the joint resolution is not introduced in ac-
20 cordance with the preceding sentence, then any
21 member of Congress may introduce such legislation
22 in their respective House of Congress beginning on
23 the date that is the 5th calendar day that such
24 House is in session following the date of the submis-

1 sion of such aggregate legislative language provi-
2 sions.

3 (2) COMMITTEE CONSIDERATION.—

4 (A) REFERRAL.—The joint resolution in-
5 troduced under paragraph (1) shall be referred
6 to any appropriate committee of jurisdiction in
7 the Senate and the House of Representatives. A
8 committee to which the joint resolution is re-
9 ferred under this paragraph may review and
10 comment on such legislation, may report such
11 legislation to the respective House, and may not
12 amend such legislation.

13 (B) REPORTING.—Not later than 30 cal-
14 endar days after the introduction of the joint
15 resolution, each Committee of Congress to
16 which the joint resolution was referred shall re-
17 port the legislation.

18 (C) DISCHARGE OF COMMITTEE.—If a
19 committee to which a joint resolution is referred
20 has not reported such legislation at the end of
21 30 calendar days after its introduction or at the
22 end of the first day after there has been re-
23 ported to the House a joint resolution involved
24 a joint resolution, whichever is earlier, such
25 committee shall be deemed to be discharged

1 from further consideration of such legislation
2 and such legislation shall be placed on the ap-
3 propriate calendar of the House involved.

4 (b) EXPEDITED PROCEDURE.—

5 (1) CONSIDERATION.—

6 (A) IN GENERAL.—Not later than 30 cal-
7 endar days after the date on which a committee
8 has reported a joint resolution or has been dis-
9 charged from consideration of a joint resolution,
10 the majority leader of the Senate, or the major-
11 ity leader's designee, or the Speaker of the
12 House of Representatives, or the Speaker's des-
13 ignee, shall move to proceed to the consider-
14 ation of the joint resolution. It shall also be in
15 order for any Member of the Senate or the
16 House of Representatives, respectively, to move
17 to proceed to the consideration of the joint reso-
18 lution at any time after the conclusion of such
19 5-day period.

20 (B) MOTION TO PROCEED.—A motion to
21 proceed to the consideration of a joint resolu-
22 tion is highly privileged in the House of Rep-
23 resentatives and is privileged in the Senate and
24 is not debatable. The motion is not subject to
25 amendment or to a motion to postpone consid-

1 eration of the joint resolution. If the motion to
2 proceed is agreed to, the Senate or the House
3 of Representatives, as the case may be, shall
4 immediately proceed to consideration of the
5 joint resolution without intervening motion,
6 order, or other business, and the joint resolu-
7 tion shall remain the unfinished business of the
8 Senate or the House of Representatives, as the
9 case may be, until disposed of.

10 (C) LIMITED DEBATE.—Debate on the
11 joint resolution and on all debatable motions
12 and appeals in connection therewith shall be
13 limited to not more than 10 hours, which shall
14 be divided equally between those favoring and
15 those opposing the joint resolution. A motion
16 further to limit debate on the joint resolution is
17 in order and is not debatable. All time used for
18 consideration of the joint resolution, including
19 time used for quorum calls (except quorum calls
20 immediately preceding a vote) and voting, shall
21 come from the 10 hours of debate.

22 (D) AMENDMENTS.—No amendment to the
23 joint resolution shall be in order in the Senate
24 and the House of Representatives.

1 (E) VOTE ON FINAL PASSAGE.—Imme-
2 diately following the conclusion of the debate on
3 the joint resolution, the vote on final passage of
4 the joint resolution shall occur.

5 (F) OTHER MOTIONS NOT IN ORDER.—A
6 motion to postpone consideration of the joint
7 resolution, a motion to proceed to the consider-
8 ation of other business, or a motion to recom-
9 mit the review joint resolution is not in order.
10 A motion to reconsider the vote by which the
11 joint resolution is agreed to or not agreed to is
12 not in order.

13 (2) CONSIDERATION BY OTHER HOUSE.—If, be-
14 fore the passage by one House of the joint resolution
15 that was introduced in such House, such House re-
16 ceives from the other House a joint resolution as
17 passed by such other House—

18 (A) the joint resolution of the other House
19 shall not be referred to a committee and may
20 only be considered for final passage in the
21 House that receives it under subparagraph (C);

22 (B) the procedure in the House in receipt
23 of the joint resolution of the other House, shall
24 be the same as if no joint resolution had been
25 received from the other House; and

1 (C) notwithstanding subparagraph (B), the
2 vote on final passage shall be on the joint reso-
3 lution of the other House.

4 (3) DISPOSITION.—Upon disposition of a joint
5 resolution that is received by one House from the
6 other House, it shall no longer be in order to con-
7 sider the joint resolution that was introduced in the
8 receiving House.

9 (c) RULES OF THE SENATE AND THE HOUSE OF
10 REPRESENTATIVES.—This section is enacted—

11 (1) as an exercise of the rulemaking power of
12 the Senate and the House of Representatives, re-
13 spectively, and is deemed to be part of the rules of
14 each House, respectively, but applicable only with re-
15 spect to the procedure to be followed in that House
16 in the case of the joint resolution, and it supersedes
17 other rules only to the extent that it is inconsistent
18 with such rules; and

19 (2) with full recognition of the constitutional
20 right of either House to change the rules (so far as
21 they relate to the procedure of that House) at any-
22 time, in the same manner, and to the same extent
23 as in the case of any other rule of that House.

1 (d) FALLBACK PROVISION.—If the Senate and the
2 House of Representatives fail to act within one year from
3 the date of introduction, the joint resolution takes effect.

4 **SEC. 10. DEFINITIONS.**

5 In this Act:

6 (1) AGENCY.—The term “agency” has the
7 meaning given the term Executive agency in section
8 105 of title 5, United States Code, except that such
9 term includes an advisory committee.

10 (2) CALENDAR DAY.—The term “calendar day”
11 means a calendar day other than one on which ei-
12 ther House is not in session because of an adjourn-
13 ment of more than 3 days to a date certain.

14 (3) COMMISSION.—The term “Commission”
15 means the Federal Agency Sunset Commission es-
16 tablished under section 3.

17 (4) SUPERMAJORITY.—The term “super-major-
18 ity” means an affirmative vote of two-thirds of the
19 Members, duly chosen and sworn.

20 (5) ADVISORY COMMITTEE.—The term “advi-
21 sory committee” has the meaning given the term in
22 section 1001 of title 5, United States Code.

23 (4) JOINT RESOLUTION.—The term “joint reso-
24 lution” means a joint resolution consisting of the
25 proposed legislative language submitted by the Com-

- 1 mission under section 4(a)(3) and introduced or re-
- 2 introduced under section 7(a).

