

105TH CONGRESS  
1ST SESSION

# H. R. 1913

To require reauthorizations of budget authority for Government programs at least every 10 years, to provide for review of Government programs at least every 10 years, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 1997

Mr. DOGGETT introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committees on the Budget, and Government Reform and Oversight, 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

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## A BILL

To require reauthorizations of budget authority for Government programs at least every 10 years, to provide for review of Government programs at least every 10 years, and for other purposes.

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 “Sunset Act of 1997”.

5 **SEC. 2. PURPOSES.**

6 The purposes of this Act are—

1           (1) to require that Government programs be re-  
2           authorized according to a schedule at least once  
3           every 10 years;

4           (2) to limit the length of time for which Gov-  
5           ernment programs can be authorized to 10 years;

6           (3) to bar the expenditure of funds for Govern-  
7           ment programs which have not been provided for by  
8           a law enacted during the 10-year sunset reauthoriza-  
9           tion cycle; and

10          (4) to encourage the reexamination of selected  
11          Government programs during each Congress.

12 **SEC. 3. DEFINITIONS, BUDGET CATEGORIES, REAUTHOR-**  
13 **IZATION DATE.**

14          (a) DEFINITIONS.—For purposes of this Act—

15           (1) The term “budget authority” has the mean-  
16           ing given to it by section 3(2) of the Congressional  
17           Budget Act of 1974.

18           (2) The term “permanent budget authority”  
19           means budget authority provided for an indefinite  
20           period of time or an unspecified number of fiscal  
21           years which does not require recurring action by the  
22           Congress, but does not include budget authority pro-  
23           vided for a specified fiscal year which is available for  
24           obligation or expenditure in one or more succeeding  
25           fiscal years.

1           (3) The term “Comptroller General” means the  
2           Comptroller General of the United States.

3           (4) The term “agency” means an executive  
4           agency as defined in section 105 of title 5, United  
5           States Code, except that such term includes the  
6           United States Postal Service and the Postal Rate  
7           Commission but does not include the General Ac-  
8           counting Office.

9           (5) The term “sunset reauthorization cycle”  
10          means the period of five Congresses beginning with  
11          the One Hundred Sixth Congress and with each  
12          sixth Congress following the One Hundred Sixth  
13          Congress.

14          (b) BUDGET CATEGORIES.—For purposes of this Act,  
15          each program (including any program exempted by a pro-  
16          vision of law from inclusion in the Budget of the United  
17          States) shall be assigned to the functional and subfunc-  
18          tional categories to which it is assigned in the Budget of  
19          the United States Government, fiscal year 1997. Each  
20          committee of the Senate or the House of Representatives  
21          which reports any bill or resolution which authorizes the  
22          enactment of new budget authority for a program not in-  
23          cluded in the fiscal year 1997 budget shall include, in the  
24          committee report accompanying such bill or resolution  
25          (and, where appropriate, the conferees shall include in

1 their joint statement on such bill or resolution), a state-  
 2 ment as to the functional and subfunctional category to  
 3 which such program is to be assigned.

4 (c) REAUTHORIZATION DATE.—For purposes of titles  
 5 I, II, and III of this Act, the reauthorization date applica-  
 6 ble to a program is the date specified for such program  
 7 under section 101(b).

## 8 TITLE I—REAUTHORIZATION OF GOVERNMENT 9 PROGRAMS

### 10 SEC. 101. REAUTHORIZATION.

11 (a) IN GENERAL.—Each Government program (ex-  
 12 cept those listed in section 102) shall be reauthorized at  
 13 least once during each sunset reauthorization cycle during  
 14 the Congress in which the reauthorization date applicable  
 15 to such program (pursuant to subsection (b)) occurs.

16 (b) REAUTHORIZATION DATE.—The first reauthor-  
 17 ization date applicable to a Government program is the  
 18 date specified in the following table, and each subsequent  
 19 reauthorization date applicable to a program is the date  
 20 that a statute enacted by the Congress establishes.

Programs included within subfunctional category	First reauthorization date
272 Energy Conservation.	September 30, 2000.
301 Water Resources.	
352 Agricultural Research and Services.	
371 Mortgage Credit.	
373 Deposit Insurance.	
376 Other Advancement of Commerce.	
501 Elementary, Secondary, and Vocational Edu- cation.	

Programs included within subfunctional category	First reauthorization date
601 General Retirement and Disability Insurance (excluding social security).	
602 Federal Employee Retirement and Disability.	
703 Hospital and Medical Care for Veterans.	
808 Other General Government.	
051 Department of Defense—Military	September 30, 2002.
053 Atomic Energy Defense Activities.	
154 Foreign Information and Exchange Activities.	
251 General Science and Basic Research.	
306 Other Natural Resources.	
351 Farm Income Stabilization.	
401 Ground Transportation.	
502 Higher Education.	
701 Income Security for Veterans.	
752 Federal Litigative and Judicial Activities.	
802 Executive Direction and Management.	
803 Central Fiscal Operations.	
054 Defense Related Activities	September 30, 2004.
152 International Security Assistance.	
155 International Financial Programs.	
252 Space Flight, Research, and Supporting 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 Functions.	
806 General Purpose Fiscal Assistance.	
153 Conduct of Foreign Affairs	September 30, 2006.
271 Energy Supply.	
303 Recreational Resources.	
402 Air Transportation.	
505 Other Labor Services.	
551 Health Care Services.	
604 Housing Assistance.	
702 Veterans Education, Training, and Rehabilitation.	
753 Federal Correctional Activities.	
805 Central Personnel Management.	
908 Other Interest.	
151 International Development and Humanitarian Assistance.	September 30, 2008.
276 Energy Information, Policy and Regulation.	
372 Postal Service.	
403 Water Transportation.	
451 Community Development.	

Programs included within subfunctional category	First reauthorization date
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452 Area and Regional Development.  
 453 Disaster Relief and Insurance.  
 503 Research and General Education Aids.  
 552 Health Research and Training.  
 603 Unemployment Compensation.  
 705 Other Veterans Benefits and Services.  
 754 Criminal Justice Assistance.  
 804 General Property and Record Management.  
 901 Interest on the Public Debt.

1 (c) PROCEDURES.—

2 (1) CONSIDERATION.—It shall not be in order  
 3 in either the Senate or the House of Representatives  
 4 to consider any bill or resolution, or amendment  
 5 thereto, which authorizes the enactment of new  
 6 budget authority for a program for a period of more  
 7 than 10 fiscal years, for an indefinite period, or (ex-  
 8 cept during the Congress in which such next reau-  
 9 thorization date occurs or the Congress immediately  
 10 preceding such Congress) for any fiscal year begin-  
 11 ning after the next reauthorization date applicable to  
 12 such program. Notwithstanding the preceding sen-  
 13 tence, it shall be in order to consider a bill or resolu-  
 14 tion for the purpose of considering an amendment to  
 15 the bill or resolution which would make the author-  
 16 ization period conform to the requirement of such  
 17 sentence. It shall not be in order in either the Sen-  
 18 ate or the House of Representatives to consider any  
 19 bill or resolution, or amendment thereto, which pro-

1       vides new budget authority for a program for any  
2       fiscal year beginning after any reauthorization date  
3       applicable to such program under subsection (b), un-  
4       less the provision of such new budget authority is  
5       specifically authorized by a law which constitutes a  
6       required authorization for such program. No new  
7       budget authority may be obligated or expended for  
8       a program for a fiscal year beginning after the last  
9       fiscal year in a sunset reauthorization cycle unless a  
10      provision of law providing for the expenditure of  
11      such funds has been enacted during such sunset re-  
12      authorization cycle.

13           (2) PERMANENT BUDGET AUTHORITY.—Any  
14      provision of law providing permanent budget author-  
15      ity for a program shall cease to be effective (for the  
16      purpose of providing such budget authority) on the  
17      first reauthorization date applicable to such pro-  
18      gram.

19           (3) DEFINITION.—For the purposes of para-  
20      graph (1), the term “required authorization” means  
21      a law authorizing the enactment of new budget au-  
22      thority for a program, which complies with the pro-  
23      visions of paragraph (1).

24   **SEC. 102. CONSIDERATION.**

25      Section 101(c) shall not apply to the following:

1           (1) Programs included within functional cat-  
2           egory 050 (National defense).

3           (2) Programs included within functional cat-  
4           egory 900 (Interest).

5           (3) Any Federal program or activity to enforce  
6           civil rights guaranteed by the Constitution of the  
7           United States or to enforce antidiscrimination laws  
8           of the United States, including the investigation of  
9           violations of civil rights, civil or criminal litigation  
10          the implementation or enforcement of judgments re-  
11          sulting from such litigation, and administrative ac-  
12          tivities in support of the foregoing.

13          (4) Programs which are related to the adminis-  
14          tration of the Federal judiciary and which are classi-  
15          fied in the fiscal year 1997 budget under subfunc-  
16          tional category 752 (Federal litigative and judicial  
17          activities).

18          (5) Payments of refunds of internal revenue col-  
19          lections as provided in title I of the Supplemental  
20          Treasury and Post Office Departments Appropria-  
21          tion Act of 1949 (62 Stat. 561).

22          (6) Programs included in the fiscal year 1997  
23          budget in subfunctional categories 701 (Income se-  
24          curity for veterans), 702 (Veterans education, train-  
25          ing, and rehabilitation), 704 (Veterans housing), and



1 programs for providing health care which are in-  
2 cluded in such budget in subfunctional category 703  
3 (Hospital and medical care for veterans).

4 (7) Social Security and Federal retirement pro-  
5 grams including the following:

6 (A) Programs funded through trust funds  
7 which are included with subfunctional cat-  
8 egories 551 (Health care services), 601 (Gen-  
9 eral retirement and disability insurance (exclud-  
10 ing social security)), 602 (Federal employee re-  
11 tirement and disability), or 602 (Department of  
12 Defense military retirement and survivor annu-  
13 ities).

14 (B) Retirement pay and medical benefits  
15 for retired commissioned officers of the Coast  
16 Guard, the Public Health Service Commissioned  
17 Corps, and the National Oceanic and Atmos-  
18 pheric Commissioned Corps and their survivors  
19 and dependents, classified in the fiscal year  
20 1997 budget in subfunctional category 551  
21 (Health care services) or in subfunctional cat-  
22 egory 306 (Other natural resources).

23 (C) Retired pay of military personnel of  
24 the Coast Guard and Coast Guard Reserve,  
25 members of the former Lighthouse Service, and

1 for annuities payable to beneficiaries of retired  
2 military personnel under chapter 73 of title 10,  
3 United States Code, classified in the fiscal year  
4 1997 budget in subfunctional category 403  
5 (Water transportation).

6 (D) Payments to the Central Intelligence  
7 Agency Retirement and Disability Fund, classi-  
8 fied in fiscal year 1997 budget in subfunctional  
9 category 054 (Defense-related activities).

10 (E) Payments to the Civil Service Retire-  
11 ment and Disability Fund for financing un-  
12 funded liabilities, classified in fiscal year 1997  
13 budget in subfunctional category 805 (Central  
14 personnel management).

15 (F) Payments to the Foreign Service Re-  
16 tirement and Disability Fund, classified in fis-  
17 cal year 1997 budget in subfunctional category  
18 153 (Conduct of foreign affairs) or in subfunc-  
19 tional category 602 (Federal employee retire-  
20 ment and disability).

21 (G) Payments to the Federal Old-Age and  
22 Survivors Insurance and the Federal Disability  
23 Insurance Trust Funds, classified in fiscal year  
24 1997 budget in various subfunctional cat-  
25 egories.

1 (H) Administration of the retirement and  
2 disability programs set forth in this section.

3 (8) Programs included within subfunctional cat-  
4 egory 373 (Deposit insurance).

5 TITLE II—PROGRAM INVENTORY

6 **SEC. 201. PROGRAM INVENTORY.**

7 (a) PREPARATION.—The Comptroller General and  
8 the Director of the Congressional Budget Office, in co-  
9 operation with the Director of the Congressional Research  
10 Service, shall prepare an inventory of Federal programs  
11 (hereafter in this title referred to as the “program inven-  
12 tory”).

13 (b) PURPOSE.—The purpose of the program inven-  
14 tory is to advise and assist the Congress in carrying out  
15 the requirements of titles I and III. Such inventory shall  
16 not in any way bind the committees of the Senate or the  
17 House of Representatives with respect to their responsibil-  
18 ities under such titles and shall not infringe on the legisla-  
19 tive and oversight responsibilities of such committees. The  
20 Comptroller General shall compile and maintain the inven-  
21 tory and the Director of the Congressional Budget Office  
22 shall provide budgetary information for inclusion in the  
23 inventory.

24 (c) SUBMISSION.—Within 120 days of the date of the  
25 enactment of this Act, the Comptroller General, after con-

1 sultation with the Director of the Congressional Budget  
2 Office and the Director of the Congressional Research  
3 Service, shall submit the program inventory to the Senate  
4 and House of Representatives.

5 (d) GROUPING OF PROGRAMS.—In the report submit-  
6 ted under subsection (c), the Comptroller General, after  
7 consultation and in cooperation with and consideration of  
8 the views and recommendations of the Director of the  
9 Congressional Budget Office, shall group programs into  
10 program areas appropriate for the exercise of the review  
11 and reexamination requirements of this Act. Such  
12 groupings shall identify program areas in a manner which  
13 classifies each program in only one functional and only  
14 one subfunctional category and which is consistent with  
15 the structure of national needs, agency missions, and basic  
16 programs developed pursuant to section 1105 of title 31,  
17 United States Code.

18 (e) INVENTORY CONTENT.—The program inventory  
19 shall set forth for each program each of the following mat-  
20 ters:

- 21 (1) The specific provision or provisions of law  
22 authorizing the program.
- 23 (2) The committees of the Senate and the  
24 House of Representatives which have legislative or  
25 oversight jurisdiction over the program.

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

3           (4) The committees which have jurisdiction over  
4       legislation providing new budget authority for the  
5       program, including the appropriate subcommittees of  
6       the Committees on Appropriations of the Senate and  
7       the House of Representatives.

8           (5) The agency and, if applicable, the subdivi-  
9       sion thereof responsible for administering the pro-  
10      gram.

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

13          (7) The next reauthorization date for the pro-  
14      gram.

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

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

20          (10) Where applicable, the year in which new  
21      budget authority for the program was last author-  
22      ized and the year in which current authorizations of  
23      new budget authority expire.

24      (f) LISTING OF EXEMPT PROGRAMS.—The inventory  
25      shall contain a separate tabular listing of programs which

1 are not required to be reauthorized pursuant to section  
2 102.

3 (g) BUDGET AUTHORITY.—The report also shall set  
4 forth for each program whether the new budget authority  
5 provided for such programs is—

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

7 (2) authorized in a specific dollar amount but  
8 without limit of time;

9 (3) authorized without limit of time or dollar  
10 amounts;

11 (4) not specifically authorized; or

12 (5) permanently provided,

13 as determined by the Director of the Congressional  
14 Budget Office.

15 (h) CBO INFORMATION.—For each program or  
16 group of programs, the program inventory also shall in-  
17 clude information prepared by the Director of the Con-  
18 gressional Budget Office indicating each of the following  
19 matters:

20 (1) The amounts of new budget authority au-  
21 thorized and provided for the program for each of  
22 the preceding four fiscal years and, where applicable,  
23 the four succeeding fiscal years.

1           (2) The functional and subfunctional category  
2           in which the program is presently classified and was  
3           classified under the fiscal year 1997 budget.

4           (3) The identification code and title of the ap-  
5           propriation account in which budget authority is  
6           provided for the program.

7   **SEC. 202. MUTUAL EXCHANGE OF INFORMATION.**

8           The General Accounting Office, the Congressional  
9   Research Service, and the Congressional Budget Office  
10   shall permit the mutual exchange of available information  
11   in their possession which would aid in the compilation of  
12   the program inventory.

13   **SEC. 203. ASSISTANCE BY EXECUTIVE BRANCH.**

14          The Office of Management and Budget, and the Ex-  
15   ecutive agencies and the subdivisions thereof shall, to the  
16   extent necessary and possible, provide the General Ac-  
17   counting Office with assistance requested by the Comp-  
18   troller General in the compilation of the program inven-  
19   tory.

20   **SEC. 204. REVISION OF PROGRAM INVENTORY.**

21          (a) REVIEW.—Each committee of the Senate and the  
22   House of Representatives, the Congressional Budget Of-  
23   fice, and the Congressional Research Service shall review  
24   the program inventory as submitted under section 201 and  
25   not later than 90 days after the date of such submission

1 such committee, Office, and Service shall advise the Comp-  
2 troller General of any revisions in the composition or iden-  
3 tification of programs and groups of programs which it  
4 recommends. After full consideration of the reports of all  
5 such committees and officials, the Comptroller General in  
6 consultation with the committees of the Senate and the  
7 House of Representatives shall report, not later than 60  
8 days after the date the advice was given in accordance  
9 with this subsection, a revised program inventory to the  
10 Senate and the House of Representatives.

11 (b) BEGINNING OF PROCESS.—The Comptroller Gen-  
12 eral, after the close of each session of the Congress, shall  
13 revise the program inventory and report the revisions to  
14 the Senate and the House of Representatives.

15 (c) REPORT.—After the close of each session of the  
16 Congress, the Director of the Congressional Budget Office  
17 shall prepare a report, for inclusion in the revised inven-  
18 tory, with respect to each program included in the pro-  
19 gram inventory and each program established by law dur-  
20 ing such session, which includes the amount of the new  
21 budget authority authorized and the amount of new budg-  
22 et authority provided for the current fiscal year and each  
23 of the five succeeding fiscal years. If new budget authority  
24 is not authorized or provided or is authorized or provided  
25 for an indefinite amount for any of such five succeeding



1 fiscal years with respect to any program, the Director shall  
2 make projections of the amounts of such new budget au-  
3 thority necessary to be authorized or provided for any such  
4 fiscal year to maintain a current level of services.

5 (d) NEW BUDGET AUTHORITY NOT AUTHORIZED.—  
6 Not later than one year after the first or any subsequent  
7 reauthorization date, the Director of the Congressional  
8 Budget Office, in consultation with the Comptroller Gen-  
9 eral and the Director of the Congressional Research Serv-  
10 ice, 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 Rep-  
19 resentatives.

20 **SEC. 205. ASSESSMENT OF CATEGORIES.**

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

1 of the functional and subfunctional categories contained  
2 in section 101(b) of this Act for grouping programs of like  
3 missions or objectives.

4       **TITLE III—PROGRAM REEXAMINATION**

5       **SEC. 301. JOINT COMMITTEE ON SUNSET REVIEW.**

6       (a) **ESTABLISHMENT.**—

7               (1) **COMMITTEE MEMBERSHIP.**—There is estab-  
8       lished a Joint Committee on Sunset Review (in this  
9       title referred to as the “Joint Committee”) to be  
10      composed of 8 Members of the Senate to be ap-  
11      pointed by the President of the Senate, and 8 Mem-  
12      bers of the House of Representatives to be appointed  
13      by the Speaker. In each instance, not more than 5  
14      Members shall be members of the same political  
15      party. No Member shall serve on the Joint Commit-  
16      tee for more than 6 years (excluding any period of  
17      service of less than 1 year) but a Member may be  
18      reappointed after the expiration of 2 years.

19              (2) **CHAIRMAN.**—The Chairman shall be elected  
20      by the members of the Joint Committee and the  
21      chairmanship shall rotate between the House of Rep-  
22      resentatives and the Senate with the first Chairman  
23      being selected from Members of the House of Rep-  
24      resentatives.

1           (3) VACANCIES.—Vacancies in the membership  
2           of the Joint Committee shall not affect the power of  
3           the remaining members to execute the functions of  
4           the Joint Committee and shall be filled in the same  
5           manner as in the case of the original appointment.

6           (4) HEARINGS, ETC.—The Joint Committee is  
7           authorized to hold such hearings as it deems advis-  
8           able. The Joint Committee may appoint and fix the  
9           compensation of such experts, consultants, techni-  
10          cians, and other personnel as it deems necessary and  
11          advisable. The Joint Committee may use the serv-  
12          ices, information, and facilities of the departments  
13          and agencies of the Federal Government which have  
14          jurisdiction of the programs being reviewed by the  
15          Joint Committee.

16          (b) FUNCTION.—

17               (1) IN GENERAL.—In each odd-numbered year,  
18               the Joint Committee shall review the programs  
19               which have reauthorization dates, set under section  
20               101(b), which will occur on September 30 of the fol-  
21               lowing even-numbered year to determine if such pro-  
22               grams should be terminated or reauthorized.

23               (2) CRITERIA.—The Joint Committee shall con-  
24               sider the following criteria in determining if a pro-  
25               gram should be terminated or reauthorized:

1           (A) The efficiency with which the program  
2 operates.

3           (B) An identification of the objectives in-  
4 tended for the program and the problem or  
5 need that the program was intended to address,  
6 the extent to which the objectives have been  
7 achieved, and any activities of the program in  
8 addition to those granted by statute and the au-  
9 thority for these activities.

10          (C) The extent to which the program is  
11 needed and is used.

12          (D) The extent to which the jurisdiction of  
13 the program and the other programs adminis-  
14 tered with the program overlap or duplicate  
15 others and the extent to which the program can  
16 be consolidated with the other programs.

17          (E) Whether the agency administering the  
18 program has recommended to the Congress  
19 statutory changes calculated to be of benefit to  
20 the public at large rather than only those  
21 served directly by the program.

22          (F) The promptness and effectiveness with  
23 which the program disposes of complaints con-  
24 cerning persons affected by the program.

1           (G) The extent to which the program has  
2           encouraged participation by the public in mak-  
3           ing its rules and decisions and the extent to  
4           which the public participation has resulted in  
5           rules compatible with the objectives of the pro-  
6           gram.

7           (H) The extent to which the program has  
8           complied with applicable requirements regard-  
9           ing equality of employment opportunity.

10          (I) The extent to which changes are nec-  
11          essary in the enabling statutes of the program  
12          so that the program can adequately comply  
13          with the criteria listed in this paragraph.

14          (J) The effect on State and local govern-  
15          ments if the program is terminated.

16          (3) RECOMMENDATION.—Upon completion of  
17          its review of a program, the Joint Committee shall  
18          submit to the appropriate legislative committees of  
19          the House of Representatives and the Senate a rec-  
20          ommendation for the extension, including extension  
21          with change, or termination of the program. Each  
22          such recommendation shall be voted on by the Joint  
23          Committee and shall be published.

1   **SEC. 302. EXECUTIVE BRANCH.**

2       Each department or agency of the executive branch  
3   which is responsible for the administration of a program  
4   subject to reexamination pursuant to section 301 shall, by  
5   the first Monday of June of an odd-numbered year, submit  
6   to the Office of Management and Budget and to the Joint  
7   Committee a report of its findings, recommendations, and  
8   justifications with respect to each of the matters set forth  
9   in section 301(b)(3), and the Office of Management and  
10   Budget shall submit to the Joint Committee such com-  
11   ments as it deems appropriate.

12                   **TITLE IV—MISCELLANEOUS**

13   **SEC. 401. APPROPRIATION REQUESTS.**

14       Section 1108(e) of title 31, United States Code, is  
15   amended by inserting before the period “or at the request  
16   of a committee of either House of Congress or of the Joint  
17   Committee on Sunset Review presented after the day on  
18   which the President transmits the budget to the Congress  
19   under section 1105 of this title for the fiscal year”.

20   **SEC. 402. DISCLOSURE.**

21       Nothing in this Act shall require the public disclosure  
22   of matters that are specifically authorized under criteria  
23   established by an Executive order to be kept secret in the  
24   interest of national defense or foreign policy and are in  
25   fact properly classified pursuant to such Executive order,  
26   or which are otherwise specifically protected by law.

1 **SEC. 403. RULEMAKING.**

2 The provisions of this section, section 204, and titles  
3 I and III are enacted by the Congress—

4 (1) as an exercise of the rulemaking power of  
5 the Senate and the House of Representatives respec-  
6 tively, and as such they shall be considered as part  
7 of the rules of each House, respectively, or of that  
8 House to which they specifically apply, and such  
9 rules shall supersede other rules only to the extent  
10 that they are inconsistent therewith; and

11 (2) with full recognition of the constitutional  
12 right of either House to change such rules (so far  
13 as relating to such House) at any time, in the same  
14 manner, and to the same extent as in the case of  
15 any other rule of such House.

16 **SEC. 404. EXECUTIVE BRANCH ASSISTANCE.**

17 To assist in the review or reexamination of a pro-  
18 gram, the head of an agency which administers such pro-  
19 gram and the head of any other agency, when requested,  
20 shall provide to each committee of the Senate and the  
21 House of Representatives which has legislative jurisdiction  
22 over such program, or to the Joint Committee on Sunset  
23 Review, such studies, information, analyses, reports, and  
24 assistance as the committee may request.

1 **SEC. 405. CONGRESSIONAL REVIEW.**

2       The Committee on Rules and Administration of the  
3 Senate and the Committee on Rules of the House of Rep-  
4 resentatives shall review the operation of the procedures  
5 established by this Act, and shall submit a report not later  
6 than December 31, 2002, and each five years thereafter,  
7 setting forth their findings and recommendations. Such  
8 reviews and reports may be conducted jointly.

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