

106TH CONGRESS
1ST SESSION

S. 359

To establish procedures to provide for a taxpayer protection lock-box and related downward adjustment of discretionary spending limits, to provide for additional deficit reduction with funds resulting from the stimulative effect of revenue reductions, and to provide for the retirement security of current and future retirees through reforms of the Old Age Survivor and Disability Insurance Act.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 1999

Mr. GRAMS (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

A BILL

To establish procedures to provide for a taxpayer protection lock-box and related downward adjustment of discretionary spending limits, to provide for additional deficit reduction with funds resulting from the stimulative effect of revenue reductions, and to provide for the retirement security of current and future retirees through reforms of the Old Age Survivor and Disability Insurance Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Taxpayer Protection
3 Lock-box Act of 1999”.

4 **SEC. 2. TAXPAYER PROTECTION LOCK-BOX LEDGER.**

5 (a) ESTABLISHMENT OF LEDGER.—Title III of the
6 Congressional Budget Act of 1974 is amended by adding
7 at the end the following new section:

8 “TAXPAYER PROTECTION LOCK-BOX LEDGER

9 “SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The
10 Director of the Congressional Budget Office (hereinafter
11 in this section referred to as the ‘Director’) shall maintain
12 a ledger to be known as the ‘Taxpayer Protection Lock-
13 box Ledger’. The Ledger shall be divided into entries cor-
14 responding to the subcommittees of the Committees on
15 Appropriations. Each entry shall consist of three parts:
16 the ‘House Lock-box Balance’; the ‘Senate Lock-box Bal-
17 ance’; and the ‘Joint House-Senate Lock-box Balance’.

18 “(b) COMPONENTS OF LEDGER.—Each component in
19 an entry shall consist only of amounts credited to it under
20 subsection (c). No entry of a negative amount shall be
21 made.

22 “(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The Di-
23 rector shall, upon the engrossment of any appropriation
24 bill by the House of Representatives and upon the engross-
25 ment of that bill by the Senate, credit to the applicable
26 entry balance of that House amounts of new budget au-

1 thority and outlays equal to the net amounts of reductions
 2 in new budget authority and in outlays resulting from
 3 amendments agreed to by that House to that bill.

4 “(2) The Director shall, upon the engrossment of
 5 Senate amendments to any appropriation bill, credit to the
 6 applicable Joint House-Senate Lock-box Balance the
 7 amounts of new budget authority and outlays equal to—

8 “(A) an amount equal to one-half of the sum of
 9 (i) the amount of new budget authority in the House
 10 Lock-box Balance plus (ii) the amount of new budg-
 11 et authority in the Senate Lock-box Balance for that
 12 bill; and

13 “(B) an amount equal to one-half of the sum
 14 of (i) the amount of outlays in the House Lock-box
 15 Balance plus (ii) the amount of outlays in the Sen-
 16 ate Lock-box Balance for that bill.

17 “(3) For purposes of calculating under this section
 18 the net amounts of reductions in new budget authority and
 19 in outlays resulting from amendments agreed to by the
 20 Senate on an appropriation bill, the amendments reported
 21 to the Senate by its Committee on Appropriations shall
 22 be considered to be part of the original text of the bill.

23 “(d) DEFINITION.—As use in this section, the term
 24 ‘appropriation bill’ means any general or special appro-
 25 priation bill, and any bill or joint resolution making sup-

plemental, deficiency, or continuing appropriations through the end of a fiscal year.”.

“(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

“Sec. 314. Taxpayer protection lock-box ledger.”.

SEC. 3. TALLY DURING HOUSE OR SENATE CONSIDERATION.

There shall be available to Members in the House of Representatives and the Senate during consideration of any appropriations bill by the House and the Senate a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 4. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

“(5) Upon the engrossment of House or Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent con-

1 current resolution on the budget for that fiscal year shall
 2 be adjusted downward by the amounts credited to the ap-
 3 plicable Joint House-Senate Lock-box Balance under sec-
 4 tion 314(c)(2). The revised levels of budget authority and
 5 outlays shall be submitted to each House by the chairman
 6 of the Committee on the Budget of that House and shall
 7 be printed in the Congressional Record.”.

8 (b) SUBALLOCATIONS.—Section 602(b)(1) of the
 9 Congressional Budget Act of 1974 is amended by adding
 10 at the end the following new sentence:

11 “Whenever an adjustment is made under subsection
 12 (a)(5) to an allocation under that subsection, the chairman
 13 of the Committee on Appropriations of each House shall
 14 make downward adjustments in the most recent suballoca-
 15 tions of new budget authority and outlays under subpara-
 16 graph (A) to the appropriate subcommittees of that com-
 17 mittee in the total amounts of those adjustments under
 18 section 314(c)(2). The revised suballocations shall be sub-
 19 mitted to each House by the chairman of the Committee
 20 on Appropriations of that House and shall be printed in
 21 the Congressional Record.”.

22 **SEC. 5. PERIODIC REPORTING OF LEDGER STATEMENTS.**

23 Section 308(b)(1) of the Congressional Budget Act
 24 of 1974 is amended by adding at the end the following
 25 new sentence: “Such reports shall also include an up-to-

1 date tabulation of the amounts contained in the ledger and
 2 each entry established by section 314(a).”.

3 **SEC. 6. DOWNWARD ADJUSTMENT OF DISCRETIONARY**
 4 **SPENDING LIMITS.**

5 The discretionary spending limits for new budget au-
 6 thority and outlays for any fiscal year set forth in section
 7 601(a)(2) of the Congressional Budget Act of 1974, as
 8 adjusted in strict conformance with section 251 of the Bal-
 9 anced Budget and Emergency Deficit Control Act of 1985,
 10 shall be reduced by the amounts set forth in the final regu-
 11 lar appropriation bill for that fiscal year or joint resolution
 12 making continuing appropriations through the end of that
 13 fiscal year.

14 Those amounts shall be the sums of the Joint House-
 15 Senate Lock-box Balances for that fiscal year, as cal-
 16 culated under section 602(a)(5) of the Congressional
 17 Budget Act of 1974. That bill or joint resolution shall con-
 18 tain the following statement of law: “As required by sec-
 19 tion 6 of the Taxpayer Protection Lock-box Act of 1999,
 20 for fiscal year [insert appropriate fiscal year] and each
 21 outyear, the adjusted discretionary spending limit for new
 22 budget authority shall be reduced by \$ [insert appropriate
 23 amount of reduction] and the adjusted discretionary limit
 24 for outlays shall be reduced by \$ [insert appropriate
 25 amount of reduction] for the budget year and each out-

1 year.” Notwithstanding section 904(c) of the Congressional Budget Act of 1974, section 306 of that Act as it applies to this statement shall be waived. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

7 **SEC. 7. EFFECTIVE DATE.**

8 (a) IN GENERAL.—The provisions of sections 1
9 through 6 of this Act shall apply to all appropriation bills
10 making appropriations for fiscal year 1999 or any subsequent
11 fiscal year.

12 (b) FY99 APPLICATION.—In the case of any appropriation
13 bill for fiscal year 1999 engrossed by the House
14 of Representatives or the Senate after January 28, 1999,
15 and before the date of enactment of this Act, the Director
16 of the Congressional Budget Office, the Director of the
17 Office of Management and Budget, and the Committees
18 on Appropriations and the Committees on the Budget of
19 the House of Representatives and of the Senate shall,
20 within 10 calendar days after that date of enactment of
21 this Act, carry out the duties required by this Act and
22 amendments made by it that occur after the date this Act
23 was engrossed by the House of Representatives or the
24 Senate.

1 (c) FY99 ALLOCATIONS.—The duties of the Director
 2 of the Congressional Budget Office and of the Committees
 3 on the Budget and on Appropriations of the House of Rep-
 4 resentatives and the Senate pursuant to this Act and the
 5 amendments made by it regarding appropriation bills for
 6 fiscal year 1999 shall be based upon the revised section
 7 602(a) allocations in effect on January 28, 1999.

8 (d) DEFINITION.—As used in this section, the term
 9 “appropriation bill” means any general or special appro-
 10 priation bill, and any bill or joint resolution making sup-
 11 plemental, deficiency, or continuing appropriations
 12 through the end of a fiscal year.

13 **SEC. 8. ADJUSTMENT FOR STIMULATIVE EFFECT OF REVE-**
 14 **NUE REDUCTIONS.**

15 (a) AMOUNT OF ADJUSTMENT.—

16 (1) OMB.—Effective in 1999 and not later
 17 than October 15 of each year, the Director of OMB
 18 shall calculate stimulative effect by determining the
 19 amount by which actual revenues exceed the pro-
 20 jected level of revenues set forth in paragraph (2)
 21 and then estimating the amount of the excess (fiscal
 22 dividend excess) attributable to provisions of the
 23 Balanced Budget Act of 1997 reducing revenues.

(2) PROJECTED LEVEL OF REVENUES.—The projected level of revenues referred to in paragraph (1) are as follows:

(A) For fiscal year 1999,
\$1,815,000,000,000.

(B) For fiscal year 2000,
\$1,870,000,000,000.

(C) For fiscal year 2001,
\$1,930,000,000,000.

(D) For fiscal year 2002,
\$2,015,000,000,000.

(E) For fiscal year 2003,
\$2,091,000,000,000.

(F) For fiscal year 2004,
\$2,184,000,000,000.

(G) For fiscal year 2005,
\$2,288,000,000,000.

(H) For fiscal year 2006,
\$2,393,000,000,000.

(I) For fiscal year 2007,
\$2,500,000,000,000.

(J) For fiscal year 2008,
\$2,611,000,000,000.

(K) For fiscal year 2009,
\$2,727,000,000,000.

1 (3) CBO CERTIFICATION.—Not later than Oc-
2 tober 20, the Director of the CBO shall certify the
3 estimates and projections of the Director of OMB
4 made under this subsection. If the Director of CBO
5 cannot certify the estimates and projections, the Di-
6 rector shall notify Congress and the President of the
7 disagreement and submit revised estimates.

8 (b) REDUCTION OF DEFICIT.—If the Director of
9 OMB determines that a fiscal dividend excess exists under
10 subsection (a) and on November 1, the President may—

11 (1) direct the Secretary of the Treasury to pay
12 an amount not to exceed the levels of excess to retire
13 debt obligations of the United States; or

14 (2) submit a legislative proposal to Congress for
15 reducing taxes by the amount of excess not dedi-
16 cated to deficit reduction to be considered by Con-
17 gress as provided in subsection (c); or

18 (3) submit a legislative proposal to Congress for
19 saving social security by the amount of excess not
20 dedicated to deficit reduction and/or tax relief.

21 (c) EXPEDITED PROCEDURE.—

22 (1) INTRODUCTION.—Not later than 3 days
23 after the President submits a legislative proposal
24 under subsection (b)(2) or (b)(3), the Majority
25 Leaders of the Senate and the House of Representa-

1 tives shall introduce the proposal in their respective
2 Houses as a bill. If the bill described in the preced-
3 ing sentence is not introduced as provided in the
4 preceding sentence, then, on the 4th day after the
5 submission of the legislative proposal by the Presi-
6 dent, any Member of the House may introduce the
7 bill.

8 (2) REFERRAL TO COMMITTEE.—A bill de-
9 scribed in paragraph (1) introduced in the House of
10 Representatives shall be referred to the Committee
11 on Ways and Means of the House of Representa-
12 tives.

13 A bill described in paragraph (1) introduced in
14 the Senate shall be referred to the Committee on Fi-
15 nance of the Senate. If more than 1 bill is intro-
16 duced as provided in paragraph (1), the committee
17 shall consider and report the first bill introduced.

18 Amendments to the bill in committee may not
19 reduce revenues in the bill below the amount pro-
20 posed by the President. Such a bill may not be re-
21 ported before the 8th day after its introduction.

22 (3) DISCHARGE OF COMMITTEE.—If the com-
23 mittee to which is referred a bill described in para-
24 graph (1) has not reported such bill at the end of
25 15 calendar days after its introduction, such com-

1 mittee shall be deemed to be discharged from further
2 consideration of such bill and such bill shall be
3 placed on the appropriate calendar of the House in-
4 volved.

5 (4) FLOOR CONSIDERATION.—

6 (A) IN GENERAL.—When the committee to
7 which a bill is referred has reported, or has
8 been deemed to be discharged (under paragraph
9 (3)) from further consideration of, a bill de-
10 scribed in paragraph (1), it is at any time
11 thereafter in order (even though a previous mo-
12 tion to the same effect has been disagreed to)
13 for any Member of the respective House to
14 move to proceed to the consideration of the bill,
15 and all points of order against the bill (and
16 against consideration of the bill) are waived.
17 The motion is highly privileged in the House of
18 Representatives and is privileged in the Senate
19 and is not debatable. The motion is not subject
20 to amendment, or to a motion to postpone, or
21 to a motion to proceed to the consideration of
22 other business. A motion to reconsider the vote
23 by which the motion is agreed to or disagreed
24 to shall not be in order. If a motion to proceed
25 to the consideration of the bill is agreed to, the

1 bill shall remain the unfinished business of the
2 respective House until disposed of.

3 (B) DEBATE.—Consideration of the bill,
4 and on all debatable motions and appeals in
5 connection therewith, shall be limited to not
6 more than 20 hours, which shall be divided
7 equally between those favoring and those oppos-
8 ing the bill. A motion further to limit debate is
9 in order and not debatable. A motion to post-
10 pone, or a motion to proceed to the consider-
11 ation of other business, or a motion to recom-
12 mit the bill is not in order. A motion to recon-
13 sider the vote by which the bill is agreed to or
14 disagreed to is not in order. Debate on amend-
15 ments to the bill shall be limited to 30 minutes
16 equally divided. Amendments to the bill may
17 not reduce revenues in the bill below the
18 amount proposed by the President.

19 (C) VOTE ON FINAL PASSAGE.—Imme-
20 diately following the conclusion of the debate on
21 a bill described in paragraph (1), and a single
22 quorum call at the conclusion of the debate if
23 requested in accordance with the rules of the
24 appropriate House, the vote on final passage of
25 the bill shall occur.

1 (D) RULINGS OF THE CHAIR ON PROCE-
2 DURE.—Appeals from the decisions of the Chair
3 relating to the application of the rules of the
4 Senate or the House of Representatives, as the
5 case may be, to the procedure relating to a bill
6 described in paragraph (1) shall be decided
7 without debate.

8 (5) COORDINATION WITH ACTION BY OTHER
9 HOUSE.—If, before the passage by one House of a
10 bill of that House described in paragraph (1), that
11 House receives from the other House a bill described
12 in paragraph (1), then the following procedures shall
13 apply:

14 (A) The bill of the other House shall not
15 be referred to a committee.

16 (B) With respect to a bill described in
17 paragraph (1) of the House receiving the bill—

18 (i) the procedure in that House shall
19 be the same as if no bill had been received
20 from the other House; but

21 (ii) the vote on final passage shall be
22 on the bill of the other House.

23 (6) RULES OF HOUSE OF REPRESENTATIVES
24 AND SENATE.—This subsection is enacted by
25 Congress—

1 (A) as an exercise of the rulemaking power
 2 of the Senate and House of Representatives, re-
 3 spectively, and as such it is deemed a part of
 4 the rules of each House, respectively, but appli-
 5 cable only with respect to the procedure to be
 6 followed in that House in the case of a bill de-
 7 scribed in paragraph (1), and it supersedes
 8 other rules only to the extent that it is incon-
 9 sistent with such rules; and

10 (B) with full recognition of the constitu-
 11 tional right of either House to change the rules
 12 (so far as relating to the procedure of that
 13 House) at any time, in the same manner and
 14 to the same extent as in the case of any other
 15 rule of that House.

16 (d) DEFICIT REDUCTION IF TAX REDUCTIONS OR
 17 SOCIAL SECURITY REFORMS ARE NOT ENACTED.—If tax
 18 reductions or social security reforms are not enacted by
 19 December 31 of the year of the submission of a legislative
 20 proposal under subsection (b)(2), the President shall pay
 21 an amount equal to the amount by which revenues are
 22 not reduced to deficit reduction as provided in subsection
 23 (b)(1).

24 (e) DEFINITION.—For purposes of this section, the
 25 term “stimulative economic effect of any laws reducing

1 revenues” refers to laws that have the effect of stimulating
 2 savings, investment, job creation, and economic growth.

3 (f) MDA POINT OF ORDER.—Section 605(b) of the
 4 Congressional Budget Act of 1974 is amended to read as
 5 follows:

6 “(1) MAXIMUM DEFICIT POINT OF ORDER.—

7 “(A) IN GENERAL.—It shall not be in
 8 order in the House of Representatives or the
 9 Senate to consider any bill, joint resolution,
 10 amendment, or conference report that includes
 11 any provision that would result in a deficit for
 12 a fiscal year.

13 “(B) WAIVER OR SUSPENSION.—This sub-
 14 section may be waived or suspended in the
 15 House of Representatives or the Senate only by
 16 the affirmative vote of three-fifths of the Mem-
 17 bers, duly chosen and sworn.”.

18 (g) SIXTY VOTE POINT OF ORDER.—Section 904 of
 19 the Congressional Budget Act of 1974 is amended—

20 (1) in the second sentence of subsection (c) by
 21 inserting “605(b),” after “601(b),”; and

22 (2) in the third sentence of subsection (d) by
 23 inserting “605(b),” after “601(b),”.

○