

112TH CONGRESS
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H. R. 2319

To cap noninterest Federal spending as a percentage of full employment GDP, to require that budgets and budget resolutions adhere to these caps, to enforce these caps, to increase financial transparency for mandatory programs, to provide for a line-item adjustment, to require the parings of significant spending increases and adjustments to the debt ceiling, and to provide for a Federal Sunset commission to assist Congress in eliminating Federal agencies and programs that no longer serve a public need or reforming those that are inefficient or ineffective in serving a public need, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2011

Mr. BRADY of Texas introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Rules, Ways and Means, Appropriations, and Oversight and Government Reform, 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 cap noninterest Federal spending as a percentage of full employment GDP, to require that budgets and budget resolutions adhere to these caps, to enforce these caps, to increase financial transparency for mandatory programs, to provide for a line-item adjustment, to require the parings of significant spending increases and adjustments to the debt ceiling, and to provide for a Federal Sunset commission to assist Congress in eliminating Federal agencies and programs that no longer

serve a public need or reforming those that are inefficient or ineffective in serving a public need, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Maximizing America’s Prosperity Act of 2011”.

6 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—STATUTORY CAP ON TOTAL FEDERAL SPENDING

Sec. 101. Total spending limits.

Sec. 102. Allocation for emergencies.

Sec. 103. Reports and orders.

Sec. 104. Spending reduction orders.

TITLE II—FISCALLY RESPONSIBLE BUDGET

Sec. 201. President’s budget submissions to Congress.

Sec. 202. Concurrent resolutions on the budget.

TITLE III—LEGISLATIVE LINE ITEM REDUCTION ACT OF 2011

Sec. 301. Short title.

Sec. 302. Legislative line item reduction.

TITLE IV—PERMANENT CONTINUING RESOLUTION

Sec. 401. Automatic continuing appropriations.

TITLE V—TRANSPARENCY

Sec. 501. Inclusion in annual social security account statement of estimated present value of taxes and benefits for Social Security and Medicare and projected deficit as a percent of lifetime earnings.

TITLE VI—DEBT IMPACT

Sec. 601. CBO spending and revenue estimates.

TITLE VII—FEDERAL SUNSET

Sec. 701. Short title.

Sec. 702. Review and abolishment of Federal agencies.

Sec. 703. Establishment of Commission.

- Sec. 704. Review of efficiency and need for Federal agencies.
- Sec. 705. Criteria for review.
- Sec. 706. Oversight by Commission.
- Sec. 707. Disposition of agency affairs.
- Sec. 708. Program inventory.
- Sec. 709. Expedited consideration of schedule for review.
- Sec. 710. Definitions.
- Sec. 711. Offset of amounts appropriated.

TITLE VIII—SEVERABILITY

- Sec. 801. Severability.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) Excessive Federal spending relative to the
 4 size of the U.S. economy as measured by gross do-
 5 mestic product (GDP) has created large, persistent
 6 budget deficits and an unsustainable increase in
 7 Federal debt.

8 (2) The current level of Federal spending as a
 9 percentage of GDP is well above both its post-World
 10 War II average and the level found by most econo-
 11 mists to maximize economic growth. According to
 12 the nonpartisan Congressional Budget Office, if cur-
 13 rent policies are not changed, Federal spending as a
 14 percentage of GDP will explode to 35 percent of
 15 GDP by fiscal year 2035.

16 (3) A legislative spending cap is the most effec-
 17 tive means of controlling excessive Federal spending.

18 (4)(A) Congress can directly control discre-
 19 tionary and mandatory spending through legislative

1 changes, but Congress cannot directly control inter-
2 est spending.

3 (B) The Federal Reserve should conduct mone-
4 tary policy independently from fiscal policy with the
5 goal of maintaining long-term price stability. Thus,
6 using total spending instead of noninterest spending
7 as the basis of the cap may create undue pressure
8 on the Federal Reserve to pursue an overly accom-
9 modative monetary policy for too long in order to
10 maintain low interest rates to help Congress keep
11 total spending within its spending cap. If the Fed-
12 eral Reserve were to succumb to this pressure, the
13 United States would suffer from greater price infla-
14 tion and a declining foreign exchange value of the
15 U.S. dollar.

16 (C) Therefore, the spending cap should be
17 based on noninterest spending.

18 (5) A cap on noninterest spending should be
19 relative to the size of the economy. However, using
20 actual or projected GDP as the denominator would
21 make the spending cap, and thus Federal spending,
22 susceptible to fluctuations in the economic cycle.
23 Hence, using an alternative measurement such as
24 full employment GDP would allow for greater sta-

1 bility in Federal spending through the economic
2 cycle.

3 (6) To adhere to spending caps, Congress needs
4 additional tools to balance the special interest de-
5 mands for additional spending with the broader pub-
6 lic interest for spending restraint.

7 **TITLE I—STATUTORY CAP ON**
8 **TOTAL FEDERAL SPENDING**

9 **SEC. 101. TOTAL SPENDING LIMITS.**

10 (a) TOTAL SPENDING LIMITS.—After section 252 of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985, add the following new section:

13 **“SEC. 252A. TOTAL SPENDING LIMITS.**

14 “(a) PROJECTIONS.—

15 “(1) OMB REPORT.—OMB shall prepare a re-
16 port comparing projected total spending under sec-
17 tion 257 and the total spending limits in subsection
18 (c), and include such report in the budget as sub-
19 mitted by the President annually under section
20 1105(a) of title 31, United States Code.

21 “(2) CBO REPORT.—CBO shall prepare a re-
22 port comparing projected total spending under sec-
23 tion 257 and the total spending limits in subsection
24 (c) and include such report in the CBO annual base-
25 line and reestimate of the President’s budget.

1 “(3) INCLUSION IN SPENDING REDUCTION OR-
2 DERS.—Reports prepared pursuant to this sub-
3 section shall be included in the spending reduction
4 report.

5 “(b) SPENDING REDUCTION ORDER.—A spending re-
6 duction order shall be implemented using the procedures
7 set forth in section 256.

8 “(c) FISCAL YEARS OF THE TOTAL SPENDING PE-
9 RIOD.—The fiscal years within the total spending period
10 shall be as follows:

11 “(1) Fiscal year 2013: 19.0 percent of full em-
12 ployment GDP.

13 “(2) Fiscal year 2014: 18.0 percent of full em-
14 ployment GDP.

15 “(3) Fiscal year 2015: 17.4 percent of full em-
16 ployment GDP.

17 “(4) Fiscal year 2016: 17.2 percent of full em-
18 ployment GDP.

19 “(5) Fiscal year 2017: 17.0 percent of full em-
20 ployment GDP.

21 “(6) Fiscal year 2018: 16.8 percent of full em-
22 ployment GDP.

23 “(7) Fiscal year 2019: 16.7 percent of full em-
24 ployment GDP.

1 “(8) Fiscal year 2020: 16.6 percent of full em-
2 ployment GDP.

3 “(9) Fiscal year 2021 and subsequent fiscal
4 years: 16.5 percent of full employment GDP.

5 “(d) REDUCTION FOR UNFUNDED FEDERAL MAN-
6 DATES.—The amount determined under subsection (c)
7 with respect to each fiscal year shall be reduced by an
8 amount equal to the amount of the unfunded direct costs
9 with respect to such fiscal year of Federal mandates (as
10 such terms are defined under section 421) enacted after
11 the date of the enactment of this section. Such amount
12 shall not be treated as being less than zero with respect
13 to any fiscal year.”.

14 (b) DEFINITIONS.—Section 3 of the Congressional
15 Budget and Impoundment Control Act of 1974 (2 U.S.C.
16 622) is amended by adding at the end the following new
17 paragraphs:

18 “(11) The term ‘total spending’ means all out-
19 lays of the Government including those from off-
20 budget entities and budget authority and outlays
21 flowing therefrom, as applicable, designated as emer-
22 gencies, and excluding net interest.

23 “(12) The term ‘total spending limit’ means the
24 maximum permissible total spending of the Govern-

1 ment set forth as a percentage of estimated full em-
2 ployment GDP.

3 “(13) The term ‘full employment GDP’ has the
4 same meaning as the term potential GDP used by
5 the Congressional Budget Office, which is the gross
6 domestic product that would occur if the economy
7 were at full employment, not exceeding the employ-
8 ment level at which inflation would occur .”.

9 (c) CONFORMING AMENDMENT.—The table of con-
10 tents set forth in 250(c) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985 is amended by in-
12 serting after the item relating to section 252A the fol-
13 lowing new item:

 “Sec. 252A. Total spending limits.”.

14 **SEC. 102. ALLOCATION FOR EMERGENCIES.**

15 (a) Section 302(a) of the Congressional Budget Act
16 of 1974 is amended by adding at the end the following
17 new paragraph:

18 “(6) ALLOCATION TO THE COMMITTEES ON AP-
19 PROPRIATIONS FOR EMERGENCIES.—Of the amounts
20 of new budget authority and outlays allocated to the
21 Committees on Appropriations for the first fiscal
22 year of the concurrent resolution on the budget, 1
23 percent shall be set aside for emergencies and may
24 be used for no other purpose.”.

1 (b) Section 1105(a)(14) of title 31, United States
 2 Code, is amended by inserting “, including an amount for
 3 emergency spending not less than 1 percent of all discre-
 4 tionary spending for that year” before the period.

5 **SEC. 103. REPORTS AND ORDERS.**

6 Section 254 of the Balanced Budget and Emergency
 7 Deficit Control Act of 1985 is amended to read as follows:

8 **“SEC. 254. REPORTS AND ORDERS.**

9 **“(a) TIMETABLE.—**

“Date:	Action to be completed:
5 days before the President’s budget submission.	CBO sequestration preview report.
President’s budget submission ..	OMB sequestration preview report.
August 10	CBO sequestration update report.
August 20	OMB sequestration update report.
10 days after end of session	CBO sequestration final report.
15 days after end of session	OMB sequestration final report; Presidential order.

10 **“(b) SUBMISSION AND AVAILABILITY OF REPORTS.—**

11 Each report required by this section shall be submitted
 12 to the Committees on the Budget of the House of Rep-
 13 resentatives and the Senate. On the following day a notice
 14 of the report shall be printed in the Federal Register.

15 **“(c) SEQUESTRATION PREVIEW REPORT.—**

16 **“(1) REPORTING REQUIREMENT.—**On the dates
 17 specified in subsection (a), OMB and CBO shall
 18 issue a preview report regarding discretionary limits
 19 and total spending limits, with sequestration based
 20 on laws enacted through those dates.

1 “(2) TOTAL SPENDING LIMIT SEQUESTRATION
2 REPORT.—The preview reports shall set forth for the
3 budget year estimates for the following:

4 “(A) The total spending limit.

5 “(B) The estimated total spending
6 amount.

7 “(C) The full employment GDP, as derived
8 by OMB from the most recent report of the
9 Congressional Budget Office entitled ‘The
10 Budget and Economic Outlook’.

11 “(D) The amount of reductions required
12 under section 252A.

13 “(3) EXPLANATION OF DIFFERENCES.—The
14 OMB reports shall explain the differences between
15 OMB and CBO estimates for each item set forth in
16 this subsection.

17 “(d) SEQUESTRATION UPDATE REPORT.—On the
18 dates specified in subsection (a), OMB and CBO shall
19 issue a sequestration update report, reflecting laws en-
20 acted through those dates, containing all of the informa-
21 tion required in the sequestration preview report.

22 “(e) SEQUESTRATION FINAL REPORT.—

23 “(1) REPORTING REQUIREMENT.—On the dates
24 specified in subsection (a), OMB and CBO shall
25 issue a sequestration final report, reflecting laws en-

1 acted through those dates, containing all of the in-
2 formation required in the sequestration preview re-
3 port.

4 “(2) PRESIDENTIAL ORDER.—On the date spec-
5 ified in subsection (a), if in its sequestration final
6 report OMB estimates that any sequestration is re-
7 quired, the President shall issue an order fully im-
8 plementing without change all sequestrations re-
9 quired by the OMB calculations set forth in that re-
10 port. This order shall be effective on issuance.

11 “(f) GAO COMPLIANCE REPORT.—Upon request of
12 the Committee on the Budget of the House of Representa-
13 tives or the Senate, the Comptroller General shall submit
14 to the Congress and the President a report on—

15 “(1) the extent to which each order issued by
16 the President under this section complies with all of
17 the requirements contained in this part, either certi-
18 fying that the order fully and accurately complies
19 with such requirements or indicating the respects in
20 which it does not; and

21 “(2) the extent to which each report issued by
22 OMB or CBO under this section complies with all of
23 the requirements contained in this part, either certi-
24 fying that the report fully and accurately complies

1 with such requirements or indicating the respects in
2 which it does not.

3 “(g) ECONOMIC AND TECHNICAL ASSUMPTIONS.—In
4 all reports required by this section, OMB shall use the
5 same economic and technical assumptions as used in the
6 most recent budget submitted by the President under sec-
7 tion 1105(a) of title 31, United States Code”.

8 **SEC. 104. SPENDING REDUCTION ORDERS.**

9 (a) IN GENERAL.—Section 256 of the Balanced
10 Budget and Emergency Deficit Control Act of 1985 is
11 amended to read as follows:

12 **“SEC. 256. SPENDING REDUCTION ORDER.**

13 “(a) GENERAL RULES.—

14 “(1) CALCULATION OF SPENDING REDUCTION
15 PERCENTAGE.—OMB shall include in its final
16 spending sequestration report a requirement that
17 each nonexempt spending account shall be reduced
18 by an amount of budget authority calculated by mul-
19 tiplying the baseline level of budgetary resources in
20 that account at that time by the uniform percentage
21 necessary to reduce outlays sufficient to eliminate an
22 excess spending amount.

23 “(2) EXEMPTIONS.—The following shall be ex-
24 empt from reduction under any order issued under
25 this part:

1 “(A) Payments for net interest.

2 “(B) Obligated balances of budget author-
3 ity carried over from prior fiscal years.

4 “(C) Any obligations of the Federal Gov-
5 ernment required to be paid under the United
6 States Constitution or legally contractual obli-
7 gations.

8 “(D) Intragovernmental transfers.

9 “(3) REDUCTION LIMITATION.—(A) No discre-
10 tionary budget account shall be subject to a spend-
11 ing reduction of more than ten percent of its budg-
12 etary resources.

13 “(B) No direct spending program shall be sub-
14 ject to a spending reduction which exceeds the elimi-
15 nation of the entire automatic spending increase for
16 that program for the fiscal year to which the appli-
17 cable sequestration applies.

18 “(C) Notwithstanding subparagraph (A) or (B),
19 a spending reduction of 100 percent shall occur for
20 any existing program that is not operative on the
21 applicable final spending sequestration report.

22 “(4) APPLICATION.—Once issued, a spending
23 reduction shall be applied to nonexempt programs as
24 follows:

1 “(A) Budgetary resources subject to a
2 spending reduction to any discretionary account
3 shall be permanently canceled.

4 “(B) The same percentage spending reduc-
5 tion shall apply to all programs, projects, and
6 activities within a budget account (with pro-
7 grams, projects, and activities as delineated in
8 the appropriation Act or accompanying report
9 for the relevant fiscal year covering that ac-
10 count, or for accounts not included in appro-
11 priation Acts, as delineated in the most recently
12 submitted President’s budget).

13 “(C) Administrative regulations imple-
14 menting a spending reduction shall be made
15 within 120 days of the issue of a spending re-
16 duction order.

17 “(b) EMERGENCIES.—(1) No funding shall be subject
18 to sequestration or counted for purposes of calculating a
19 sequester if it is designated for an emergency program
20 under this section and so designated by the President.

21 “(2) Congress shall not designate a program an
22 emergency program unless such designation is agreed to
23 in accordance with the requirements of paragraph (1) of
24 clause 1 of rule XV of the Rules of the House of Rep-
25 resentatives.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) REPEALS.—Sections 255 and 275 of the
3 Balanced Budget and Emergency Deficit Control
4 Act of 1985 are repealed.

5 (2) CONFORMING AMENDMENT.—The item re-
6 lating to section 256 in the table of contents set
7 forth in section 250(a) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985 is amended
9 to read as follows:

“Sec. 256. Spending reduction order.”.

10 **TITLE II—FISCALLY**
11 **RESPONSIBLE BUDGET**

12 **SEC. 201. PRESIDENT’S BUDGET SUBMISSIONS TO CON-**
13 **GRESS.**

14 Section 1105 of title 31, United States Code, is
15 amended by adding at the end the following new sub-
16 section:

17 “(i)(1) The budget transmitted pursuant to sub-
18 section (a) shall be in compliance with the statutory cap
19 on total Federal spending set forth in the Maximizing
20 America’s Prosperity Act of 2011.

21 “(2) Any budget transmitted pursuant to subsection
22 (a) or paragraph (1) for a fiscal year shall include the
23 following:

24 “(A) A plan to ensure that the OASDI and HI
25 trust funds will not be exhausted during the 75-year

1 projection period and that the trust fund ratios will
2 not be declining at the end of such period if the re-
3 port from the Actuaries indicate a shortfall in the
4 trust funds.

5 “(B) A prioritization of non-exempt spending
6 (as described in section 256(a)(2) of the Balanced
7 Budget and Emergency Deficit Control Act of
8 1985), by ranking all programs, projects, and activi-
9 ties of the Government in five categories from the—

10 “(i) most essential to

11 “(ii) essential to

12 “(iii) somewhat essential to

13 “(iv) less essential to

14 “(v) least essential,

15 with not less than 12 percent of total non-exempt
16 spending falling into any one category.

17 For purposes of subparagraph (A), the term ‘OASDI trust
18 fund ratio’ has the meaning provided in section
19 201(l)(3)(B)(iii) of the Social Security Act and the term
20 ‘Hospital Insurance Trust Fund ratio’ has the meaning
21 provided in section 201(l)(5)(B) of such Act, and such
22 budget shall facilitate the plan.”.

1 **SEC. 202. CONCURRENT RESOLUTIONS ON THE BUDGET.**

2 (a) IN GENERAL.—Section 312 of the Congressional
3 Budget Act of 1974 is amended by adding at the end the
4 following new subsection:

5 “(g) STATUTORY CAP ON TOTAL FEDERAL SPEND-
6 ING POINT OF ORDER.—It shall not be in order in the
7 House of Representatives or the Senate to consider any
8 concurrent resolution on the budget that sets forth total
9 Federal outlays for any fiscal year in excess of those set
10 forth for that fiscal year in section 252A of the Balanced
11 Budget and Emergency Deficit Control Act of 1985.”.

12 (b) CONFORMING AMENDMENT.—Subsections (c)(2)
13 and (d)(3) of section 904 of the Congressional Budget Act
14 of 1974 are each amended by striking “and 312(c)” and
15 inserting “312(c), and 312(g)”.

16 **TITLE III—LEGISLATIVE LINE**
17 **ITEM REDUCTION ACT OF 2011**

18 **SEC. 301. SHORT TITLE.**

19 This title may be cited as the “Legislative Line Item
20 Reduction Act of 2011”.

21 **SEC. 302. LEGISLATIVE LINE ITEM REDUCTION.**

22 (a) IN GENERAL.—Title X of the Congressional
23 Budget and Impoundment Control Act of 1974 (2 U.S.C.
24 621 et seq.) is amended by striking part C and inserting
25 the following:

1 “(iii) LIMITATIONS.—

2 “(I) IN GENERAL.—Special mes-
3 sages shall be submitted within 1 cal-
4 endar year of the date of enactment of
5 any dollar amount of discretionary
6 budget authority or item of direct
7 spending the President proposes to re-
8 scind pursuant to this title.

9 “(II) RESUBMITTAL.—If Con-
10 gress rejects or does not complete ac-
11 tion on a bill introduced under this
12 title, the President may resubmit
13 some or all of the dollar amounts of
14 discretionary budget authority and
15 items of direct spending in that bill in
16 not more than 1 additional special
17 message under this part or part B.

18 “(B) CONTENTS OF SPECIAL MESSAGE.—
19 Each special message shall specify, with respect
20 to the dollar amount of discretionary budget au-
21 thority or item of direct spending proposed to
22 be rescinded—

23 “(i) the dollar amount of discretionary
24 budget authority available and proposed
25 for rescission from accounts, departments,

1 or establishments of the government and
2 the dollar amount of the reduction in out-
3 lays that would result from the enactment
4 of such rescission of discretionary budget
5 authority for the time periods set forth in
6 subparagraph (A)(iii);

7 “(ii) the specific items of direct spend-
8 ing proposed for rescission and the dollar
9 amounts of the reductions in budget au-
10 thority and outlays or increases in receipts
11 that would result from enactment of such
12 rescission for the time periods set forth in
13 subparagraph (A)(iii);

14 “(iii) the budgetary effects of pro-
15 posals for rescission, estimated as of the
16 date the President submits the special
17 message, relative to the most recent levels
18 calculated consistent with the methodology
19 described in section 257 of the Balanced
20 Budget and Emergency Deficit Control Act
21 of 1985 and included with a budget sub-
22 mission under section 1105(a) of title 31,
23 United States Code, for the time periods
24 of—

1 “(I) the fiscal year in which the
2 proposal is submitted; and

3 “(II) each of the 10 following fis-
4 cal years beginning with the fiscal
5 year after the fiscal year in which the
6 proposal is submitted;

7 “(iv) any account, department, or es-
8 tablishment of the Government to which
9 such dollar amount of discretionary budget
10 authority or item of direct spending is
11 available for obligation, and the specific
12 project or governmental functions involved;

13 “(v) the reasons why such dollar
14 amount of discretionary budget authority
15 or item of direct spending should be re-
16 scinded;

17 “(vi) the estimated fiscal and eco-
18 nomic impacts, of the proposed rescission;

19 “(vii) to the maximum extent prac-
20 ticable, all facts, circumstances, and con-
21 siderations relating to or bearing upon the
22 proposed rescission and the decision to ef-
23 fect the proposed rescission, and the esti-
24 mated effect of the proposed rescission
25 upon the objects, purposes, and programs

1 for which the budget authority or items of
2 direct spending are provided; and

3 “(viii) a draft bill that, if enacted,
4 would rescind the budget authority and
5 items of direct spending proposed to be re-
6 scinded in that special message.

7 “(2) ANALYSIS BY CONGRESSIONAL BUDGET
8 OFFICE.—

9 “(A) IN GENERAL.—Upon the receipt of a
10 special message under this section proposing to
11 rescind dollar amounts of discretionary budget
12 authority and items of direct spending the Di-
13 rector of the Congressional Budget Office shall
14 prepare an estimate of the savings in budget
15 authority or outlays resulting from such pro-
16 posed rescission.

17 “(B) METHODOLOGY.—The estimates re-
18 quired by subparagraph (A) shall be made rel-
19 ative to the most recent levels calculated con-
20 sistent with the methodology used to calculate
21 a baseline under section 257 of the Balanced
22 Budget and Emergency Control Act of 1985
23 and included with a budget submission under
24 section 1105(a) of title 31, United States Code,
25 and transmitted to the chairmen of the Com-

1 mittees on the Budget of the House of Rep-
2 resentatives and Senate.

3 “(3) ENACTMENT OF RESCISSION BILL.—

4 “(A) DEFICIT REDUCTION.—Amounts of
5 budget authority or items of direct spending
6 that are rescinded pursuant to enactment of a
7 bill as provided under this section shall be dedi-
8 cated only to deficit reduction and shall not be
9 used as an offset for other spending increases
10 or revenue reductions.

11 “(B) ADJUSTMENT OF BUDGET TAR-
12 GETS.—Not later than 5 days after the date of
13 enactment of a rescission bill as provided under
14 this section, the chairs of the Committees on
15 the Budget of the Senate and the House of
16 Representatives shall revise spending and rev-
17 enue levels under section 311(a) of the Con-
18 gressional Budget Act of 1974 and adjust the
19 committee allocations under section 302(a) of
20 the Congressional Budget Act of 1974 or any
21 other adjustments as may be appropriate to re-
22 flect the rescission. The adjustments shall re-
23 flect the budgetary effects of such rescissions as
24 estimated by the President pursuant to para-
25 graph (1)(B)(iii). The appropriate committees

1 shall report revised allocations pursuant to sec-
2 tion 302(b) of the Congressional Budget Act of
3 1974. Notwithstanding any other provision of
4 law, the revised allocations and aggregates shall
5 be considered to have been made under a con-
6 current resolution on the budget agreed to
7 under the Congressional Budget Act of 1974
8 and shall be enforced under the procedures of
9 that Act.

10 “(C) ADJUSTMENTS TO CAPS.—After en-
11 actment of a rescission bill as provided under
12 this section, the President shall revise applica-
13 ble limits under the Maximizing America’s
14 Prosperity Act of 2011, as appropriate.

15 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
16 ATION.—

17 “(1) IN GENERAL.—

18 “(A) INTRODUCTION.—Before the close of
19 the second day of session of the Senate and the
20 House of Representatives, respectively, after the
21 date of receipt of a special message transmitted
22 to Congress under subsection (b), the majority
23 leader of each House, for himself, or minority
24 leader of each House, for himself, or a Member
25 of that House designated by that majority lead-

1 er or minority leader shall introduce (by re-
2 quest) the President’s draft bill to rescind the
3 amounts of budget authority or items of direct
4 spending, as specified in the special message
5 and the President’s draft bill. If the bill is not
6 introduced as provided in the preceding sen-
7 tence in either House, then, on the third day of
8 session of that House after the date of receipt
9 of that special message, any Member of that
10 House may introduce the bill.

11 “(B) REFERRAL AND REPORTING.—

12 “(i) ONE COMMITTEE.—The bill shall
13 be referred by the presiding officer to the
14 appropriate committee. The committee
15 shall report the bill without any revision
16 and with a favorable, an unfavorable, or
17 without recommendation, not later than
18 the fifth day of session of that House after
19 the date of introduction of the bill in that
20 House. If the committee fails to report the
21 bill within that period, the committee shall
22 be automatically discharged from consider-
23 ation of the bill, and the bill shall be
24 placed on the appropriate calendar.

25 “(ii) MULTIPLE COMMITTEES.—

1 “(I) REFERRALS.—If a bill con-
2 tains provisions in the jurisdiction of
3 more than 1 committee, the bill shall
4 be jointly referred to the committees
5 of jurisdiction and the Committee on
6 the Budget.

7 “(II) VIEWS OF COMMITTEE.—
8 Any committee, other than the Com-
9 mittee on the Budget, to which a bill
10 is referred under this clause may sub-
11 mit a favorable, an unfavorable rec-
12 ommendation, without recommenda-
13 tion with respect to the bill to the
14 Committee on the Budget prior to the
15 reporting or discharge of the bill.

16 “(III) REPORTING.—The Com-
17 mittee on the Budget shall report the
18 bill not later than the fifth day of ses-
19 sion of that House after the date of
20 introduction of the bill in that House,
21 without any revision and with a favor-
22 able or unfavorable recommendation,
23 or without recommendation, together
24 with the recommendations of any

1 committee to which the bill has been
2 referred.

3 “(IV) DISCHARGE.—If the Com-
4 mittee on the Budget fails to report
5 the bill within that period, the com-
6 mittee shall be automatically dis-
7 charged from consideration of the bill,
8 and the bill shall be placed on the ap-
9 propriate calendar.

10 “(C) FINAL PASSAGE.—A vote on final
11 passage of the bill shall be taken in the Senate
12 and the House of Representatives on or before
13 the close of the 10th day of session of that
14 House after the date of the introduction of the
15 bill in that House. If the bill is passed, the
16 Clerk of the House of Representatives shall
17 cause the bill to be transmitted to the Senate
18 before the close of the next day of session of the
19 House.

20 “(2) CONSIDERATION IN THE HOUSE OF REP-
21 RESENTATIVES.—

22 “(A) MOTION TO PROCEED TO CONSIDER-
23 ATION.—A motion in the House of Representa-
24 tives to proceed to the consideration of a bill
25 under this subsection shall be highly privileged

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

5 “(B) LIMITS ON DEBATE.—Debate in the
6 House of Representatives on a bill under this
7 subsection shall not exceed 4 hours, which shall
8 be divided equally between those favoring and
9 those opposing the bill. A motion further to
10 limit debate shall not be debatable. It shall not
11 be in order to move to recommit a bill under
12 this subsection or to move to reconsider the
13 vote by which the bill is agreed to or disagreed
14 to.

15 “(C) APPEALS.—Appeals from decisions of
16 the chair relating to the application of the
17 Rules of the House of Representatives to the
18 procedure relating to a bill under this section
19 shall be decided without debate.

20 “(D) APPLICATION OF HOUSE RULES.—
21 Except to the extent specifically provided in this
22 section, consideration of a bill under this sec-
23 tion shall be governed by the Rules of the
24 House of Representatives. It shall not be in
25 order in the House of Representatives to con-

1 sider any bill introduced pursuant to the provi-
2 sions of this section under a suspension of the
3 rules or under a special rule.

4 “(3) CONSIDERATION IN THE SENATE.—

5 “(A) MOTION TO PROCEED TO CONSIDER-
6 ATION.—A motion to proceed to the consider-
7 ation of a bill under this subsection in the Sen-
8 ate shall not be debatable. A motion to proceed
9 to consideration of the bill may be made even
10 though a previous motion to the same effect has
11 been disagreed to. It shall not be in order to
12 move to reconsider the vote by which the mo-
13 tion to proceed is agreed to or disagreed to.

14 “(B) LIMITS ON DEBATE.—Debate in the
15 Senate on a bill under this subsection, and all
16 debatable motions and appeals in connection
17 therewith, shall not exceed a total of 10 hours,
18 equally divided and controlled in the usual
19 form.

20 “(C) DEBATABLE MOTIONS AND AP-
21 PEALS.—Debate in the Senate on any debatable
22 motion or appeal in connection with a bill under
23 this subsection shall be limited to not more
24 than 1 hour from the time allotted for debate,

1 to be equally divided and controlled in the usual
2 form.

3 “(D) MOTION TO LIMIT DEBATE.—A mo-
4 tion in the Senate to further limit debate on a
5 bill under this subsection is not debatable.

6 “(E) MOTION TO RECOMMIT.—A motion to
7 recommit a bill under this subsection is not in
8 order.

9 “(F) CONSIDERATION OF THE HOUSE
10 BILL.—

11 “(i) IN GENERAL.—If the Senate has
12 received the House companion bill to the
13 bill introduced in the Senate prior to the
14 vote required under paragraph (1)(C), then
15 the Senate shall consider, and the vote
16 under paragraph (1)(C) shall occur on, the
17 House companion bill.

18 “(ii) PROCEDURE AFTER VOTE ON
19 SENATE BILL.—If the Senate votes, pursu-
20 ant to paragraph (1)(C), on the bill intro-
21 duced in the Senate, the Senate bill shall
22 be held pending receipt of the House mes-
23 sage on the bill. Upon receipt of the House
24 companion bill, the House bill shall be
25 deemed to be considered, read for the third

1 time, and the vote on passage of the Sen-
2 ate bill shall be considered to be the vote
3 on the bill received from the House.

4 “(d) AMENDMENTS AND DIVISIONS PROHIBITED.—

5 “(1) IN GENERAL.—No amendment to a bill
6 considered under this section shall be in order in ei-
7 ther the Senate or the House of Representatives.

8 “(2) NO DIVISION.—It shall not be in order to
9 demand a division of the question in the House of
10 Representatives (or in a Committee of the Whole).

11 “(3) NO SUSPENSION.—No motion to suspend
12 the application of this subsection shall be in order
13 in the House of Representatives, nor shall it be in
14 order in either the House of Representatives or the
15 Senate to suspend the application of this subsection
16 by unanimous consent.

17 “(e) TEMPORARY PRESIDENTIAL AUTHORITY TO
18 WITHHOLD.—

19 “(1) AVAILABILITY.—The President may not
20 withhold any dollar amount of discretionary budget
21 authority until the President transmits and Congress
22 receives a special message pursuant to subsection
23 (b). Upon receipt by Congress of a special message
24 pursuant to subsection (b), the President may direct
25 that any dollar amount of discretionary budget au-

1 thority proposed to be rescinded in that special mes-
2 sage shall be withheld from obligation for a period
3 not to exceed 45 calendar days from the date of re-
4 ceipt by Congress.

5 “(2) EARLY AVAILABILITY.—The President
6 may make any dollar amount of discretionary budget
7 authority withheld from obligation pursuant to para-
8 graph (1) available at an earlier time if the Presi-
9 dent determines that continued withholding would
10 not further the purposes of this title.

11 “(f) TEMPORARY PRESIDENTIAL AUTHORITY TO
12 SUSPEND.—

13 “(1) SUSPEND.—The President may not sus-
14 pend the execution of any item of direct spending
15 until the President transmits and Congress receives
16 a special message pursuant to subsection (b). Upon
17 receipt by Congress of a special message, the Presi-
18 dent may suspend the execution of any item of di-
19 rect spending proposed to be rescinded in that mes-
20 sage for a period not to exceed 45 calendar days
21 from the date of receipt by Congress.

22 “(2) EARLY AVAILABILITY.—The President
23 may terminate the suspension of any item of direct
24 spending suspended pursuant to paragraph (1) at an
25 earlier time if the President determines that con-

1 continuation of the suspension would not further the
2 purposes of this title.

3 “(g) DEFINITIONS.—In this section:

4 “(1) APPROPRIATION LAW.—The term ‘appro-
5 priation law’ means any general or special appro-
6 priation Act, and any Act or joint resolution making
7 supplemental, deficiency, or continuing appropria-
8 tions.

9 “(2) CALENDAR DAY.—The term ‘calendar day’
10 means a standard 24-hour period beginning at mid-
11 night.

12 “(3) DAYS OF SESSION.—The term ‘days of
13 session’ means only those days on which both
14 Houses of Congress are in session.

15 “(4) DOLLAR AMOUNT OF DISCRETIONARY
16 BUDGET AUTHORITY.—The term ‘dollar amount of
17 discretionary budget authority’ means the dollar
18 amount of budget authority and obligation limita-
19 tions—

20 “(A) specified in an appropriation law, or
21 the dollar amount of budget authority required
22 to be allocated by a specific proviso in an ap-
23 propriation law for which a specific dollar figure
24 was not included;

1 “(B) represented separately in any table,
2 chart, or explanatory text included in the state-
3 ment of managers or the governing committee
4 report accompanying such law;

5 “(C) required to be allocated for a specific
6 program, project, or activity in a law (other
7 than an appropriation law) that mandates obli-
8 gations from or within accounts, programs,
9 projects, or activities for which budget authority
10 or an obligation limitation is provided in an ap-
11 propriation law;

12 “(D) represented by the product of the es-
13 timated procurement cost and the total quantity
14 of items specified in an appropriation law or in-
15 cluded in the statement of managers or the gov-
16 erning committee report accompanying such
17 law; or

18 “(E) represented by the product of the es-
19 timated procurement cost and the total quantity
20 of items required to be provided in a law (other
21 than an appropriation law) that mandates obli-
22 gations from accounts, programs, projects, or
23 activities for which dollar amount of discre-
24 tionary budget authority or an obligation limita-
25 tion is provided in an appropriation law.

1 “(5) RESCIND OR RESCISSION.—The term ‘re-
2 scind’ or ‘rescission’ means—

3 “(A) in the case of a dollar amount of dis-
4 cretionary budget authority, to reduce or repeal
5 a provision of law to prevent that budget au-
6 thority or obligation limitation from having
7 legal force or effect; and

8 “(B) in the case of direct spending, to re-
9 peal a provision of law in order to prevent the
10 specific legal obligation of the United States
11 from having legal force or effect.

12 “(6) DIRECT SPENDING.—The term ‘direct
13 spending’ means budget authority provided by law
14 (other than an appropriation law), mandatory spend-
15 ing provided in appropriation Acts, and entitlement
16 authority.

17 “(7) ITEM OF DIRECT SPENDING.—The term
18 ‘item of direct spending’ means any specific provi-
19 sion of law enacted after the effective date of the
20 Legislative Line Item Reduction Act of 2011 that is
21 estimated to result in an increase in budget author-
22 ity or outlays for direct spending relative to the most
23 recent levels calculated consistent with the method-
24 ology described in section 257 of the Balanced
25 Budget and Emergency Deficit Control Act of 1985

1 and included with a budget submission under section
2 1105(a) of title 31, United States Code, and, with
3 respect to estimates made after that budget submis-
4 sion that are not included with it, estimates con-
5 sistent with the economic and technical assumptions
6 underlying the most recently submitted President’s
7 budget.

8 “(8) SUSPEND THE EXECUTION.—The term
9 ‘suspend the execution’ means, with respect to an
10 item of direct spending, to stop the carrying into ef-
11 fect of the specific provision of law that provides
12 such benefit.”.

13 (b) EXERCISE OF RULEMAKING POWERS.—Section
14 904 of the Congressional Budget Act of 1974 (2 U.S.C.
15 621 note) is amended—

16 (1) in subsection (a), by striking “and 1017”
17 and inserting “1017, and 1021”; and

18 (2) in subsection (d), by striking “section
19 1017” and inserting “sections 1017 and 1021”.

20 (c) CLERICAL AMENDMENTS.—

21 (1) SHORT TITLE.—Section 1(a) of the Con-
22 gressional Budget and Impoundment Control Act of
23 1974 is amended by—

24 (A) striking “Parts A and B” before “title
25 X” and inserting “Parts A, B, and C”; and

1 (B) striking the last sentence and inserting
2 at the end the following new sentence: “Part C
3 of title X also may be cited as the ‘Legislative
4 Line Item Reduction Act of 2011’”.

5 (2) TABLE OF CONTENTS.—The table of con-
6 tents set forth in section 1(b) of the Congressional
7 Budget and Impoundment Control Act of 1974 is
8 amended by deleting the contents for part C of title
9 X and inserting the following:

“PART C—LEGISLATIVE LINE ITEM VETO

“Sec. 1021. Expedited consideration of certain proposed rescissions.”.

10 (d) EFFECTIVE DATE AND EXPIRATION.—

11 (1) EFFECTIVE DATE.—The amendments made
12 by this Act shall—

13 (A) take effect on the date of enactment of
14 this Act; and

15 (B) apply to any dollar amount of discre-
16 tionary budget authority, item of direct spend-
17 ing, or targeted tax benefit provided in an Act
18 enacted on or after September 1, 2011.

19 (2) EXPIRATION.—The amendments made by
20 this Act shall expire on December 31, 2015.

1 **TITLE IV—PERMANENT**
2 **CONTINUING RESOLUTION**

3 **SEC. 401. AUTOMATIC CONTINUING APPROPRIATIONS.**

4 (a) IN GENERAL.—Chapter 13 of title 31, United
5 States Code, is amended by inserting after section 1310
6 the following new section:

7 **“§ 1311. Continuing appropriations**

8 “(a)(1) If any regular appropriation bill for a fiscal
9 year does not become law before the beginning of such
10 fiscal year or a joint resolution making continuing appro-
11 priations is not in effect, there are appropriated, out of
12 any money in the Treasury not otherwise appropriated,
13 and out of applicable corporate or other revenues, receipts,
14 and funds, such sums as may be necessary to continue
15 any project or activity for which funds were provided in
16 the preceding fiscal year—

17 “(A) in the corresponding regular appropriation
18 Act for such preceding fiscal year; or

19 “(B) if the corresponding regular appropriation
20 bill for such preceding fiscal year did not become
21 law, then in a joint resolution making continuing ap-
22 propriations for such preceding fiscal year.

23 “(2) Appropriations and funds made available, and
24 authority granted, for a project or activity for any fiscal

1 year pursuant to this section shall be at a rate of operations not in excess of the lower of—

3 “(A) 90 percent of the rate of operations provided for in the regular appropriation Act providing for such project or activity for the preceding fiscal year;

7 “(B) in the absence of such an Act, 90 percent of the rate of operations provided for such project or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year;

11 “(C) 90 percent of the rate of operations provided for in the regular appropriation bill as passed by the House of Representatives or the Senate for the fiscal year in question, except that the lower of these two versions shall be ignored for any project or activity for which there is a budget request if no funding is provided for that project or activity in either version; or

19 “(D) 90 percent of the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act.

24 “(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this sec-

1 tion for a project or activity shall be available for the pe-
2 riod beginning with the first day of a lapse in appropria-
3 tions and ending with the earlier of—

4 “(A) the date on which the applicable regular
5 appropriation bill for such fiscal year becomes law
6 (whether or not such law provides for such project
7 or activity) or a continuing resolution making appro-
8 priations becomes law, as the case may be; or

9 “(B) the last day of such fiscal year.

10 “(b) An appropriation or funds made available, or au-
11 thority granted, for a project or activity for any fiscal year
12 pursuant to this section shall be subject to the terms and
13 conditions imposed with respect to the appropriation made
14 or funds made available for the preceding fiscal year, or
15 authority granted for such project or activity under cur-
16 rent law.

17 “(c) Appropriations and funds made available, and
18 authority granted, for any project or activity for any fiscal
19 year pursuant to this section shall cover all obligations or
20 expenditures incurred for such project or activity during
21 the portion of such fiscal year for which this section ap-
22 plies to such project or activity.

23 “(d) Expenditures made for a project or activity for
24 any fiscal year pursuant to this section shall be charged
25 to the applicable appropriation, fund, or authorization

1 whenever a regular appropriation bill or a joint resolution
2 making continuing appropriations until the end of a fiscal
3 year providing for such project or activity for such period
4 becomes law.

5 “(e) This section shall not apply to a project or activ-
6 ity during a fiscal year if any other provision of law (other
7 than an authorization of appropriations)—

8 “(1) makes an appropriation, makes funds
9 available, or grants authority for such project or ac-
10 tivity to continue for such period; or

11 “(2) specifically provides that no appropriation
12 shall be made, no funds shall be made available, or
13 no authority shall be granted for such project or ac-
14 tivity to continue for such period.

15 “(f) For purposes of this section, the term ‘regular
16 appropriation bill’ means any annual appropriation bill
17 making appropriations, otherwise making funds available,
18 or granting authority, for any of the following categories
19 of projects and activities:

20 “(1) Agriculture, Rural Development, Food and
21 Drug Administration, and Related Agencies.

22 “(2) Commerce, Justice, Science, and Related
23 Agencies.

24 “(3) Department of Defense.

25 “(4) Energy and Water Development.

1 “(5) Financial Services and General Govern-
2 ment.

3 “(6) Department of Homeland Security.

4 “(7) Department of the Interior, Environment,
5 and Related Agencies.

6 “(8) Departments of Labor, Health and
7 Human Services, Education, and Related Agencies.

8 “(9) Legislative Branch.

9 “(10) Military Construction, Veterans’ Affairs,
10 and Related Agencies.

11 “(11) Department of State, Foreign Oper-
12 ations, and Related Programs.

13 “(12) Transportation, Housing and Urban De-
14 velopment, and Related Agencies.”.

15 (b) CLERICAL AMENDMENT.—The analysis of chap-
16 ter 13 of title 31, United States Code, is amended by in-
17 serting after the item relating to section 1310 the fol-
18 lowing new item:

“1311. Continuing appropriations.”.

TITLE V—TRANSPARENCY

1 **TITLE V—TRANSPARENCY**
2 **SEC. 501. INCLUSION IN ANNUAL SOCIAL SECURITY AC-**
3 **COUNT STATEMENT OF ESTIMATED PRESENT**
4 **VALUE OF TAXES AND BENEFITS FOR SOCIAL**
5 **SECURITY AND MEDICARE AND PROJECTED**
6 **DEFICIT AS A PERCENT OF LIFETIME EARN-**
7 **INGS.**

8 (a) IN GENERAL.—Section 1143(a)(2) of the Social
9 Security Act (42 U.S.C. 1320b–13(a)(2)) is amended—

10 (1) in subparagraph (E), by striking “benefits.”
11 and inserting “benefits;”; and

12 (2) by adding after subparagraph (E) the fol-
13 lowing new subparagraphs:

14 “(F) an estimate, as determined by the Com-
15 missioner, in consultation with the Secretary of
16 Health and Human Services, on the basis of avail-
17 able records of the Commissioner and projections
18 based on reasonable assumptions, of—

19 “(i) the present value of potential lifetime
20 aggregate employer, employee, and self-employ-
21 ment contributions of the eligible individual for
22 old-age, survivors, and disability insurance
23 (under title II) and for hospital insurance
24 (under part A of title XVIII);

1 “(ii) the present value of potential lifetime
2 premiums payable (under parts B and D of title
3 XVIII); and

4 “(iii) the present value of potential lifetime
5 aggregate retirement, disability, survivor, and
6 auxiliary benefits payable on the eligible individ-
7 ual’s account under title II and per capita bene-
8 fits payable under the Medicare program of title
9 XVIII; and

10 “(G) an estimate, as determined by the Com-
11 missioner, in consultation with the Secretary of
12 Health and Human Services, on the basis of avail-
13 able records of the Commissioner and projections
14 based on reasonable assumptions, of the ratio (ex-
15 pressed as a percentage) of—

16 “(i) the sum of the projected deficit-fi-
17 nanced benefits under the old-age, survivors,
18 and disability insurance program with respect
19 to the eligible individual and the projected def-
20 icit-financed benefits under part A of the Medi-
21 care program under title XVIII with respect to
22 the eligible individual, to

23 “(ii) projected lifetime earnings of the eli-
24 gible individual.”.

1 (b) DEFINITIONS.—Section 1143(a) of such Act (42
2 U.S.C. 1320b–13(a)) is amended—

3 (1) by redesignating paragraph (3) as para-
4 graph (4); and

5 (2) by inserting after paragraph (2) the fol-
6 lowing new paragraph:

7 “(3) For purposes of paragraph (2)(G)—

8 “(A) The term ‘projected deficit-financed bene-
9 fits’ means—

10 “(i) with respect to an eligible individual in
11 connection with the old-age, survivors, and dis-
12 ability insurance program, the product of—

13 “(I) the benefits described in subpara-
14 graph (F)(ii) of such individual under such
15 program, and

16 “(II) the ratio of future annual defi-
17 cits, excluding interest, of the Federal Old-
18 Age and Survivors Insurance Trust Fund
19 and the Federal Disability Insurance Trust
20 Fund over the eligible individual’s lifetime
21 to future annual outlays from such Trust
22 Funds over such lifetime; and

23 “(ii) with respect to an eligible individual
24 in connection with the Medicare program under
25 title XVIII, the product of—

1 “(I) the benefits for hospital insur-
2 ance (under part A of title XVIII) de-
3 scribed in subparagraph (F)(ii) of such in-
4 dividual under such program, and

5 “(II) the ratio of future annual defi-
6 cits of the Federal Hospital Insurance
7 Trust Fund over the eligible individual’s
8 lifetime to future annual outlays from such
9 Trust Fund over such lifetime.

10 “(B) The term ‘projected lifetime earnings’ of
11 the eligible individual means the present value of the
12 potential total wages paid to, and self-employment
13 income derived by, the eligible individual over the eli-
14 gible individual’s lifetime, as determined without re-
15 gard to the contribution and benefit base under sec-
16 tion 230.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to annual statements
19 issued after 2012.

20 **TITLE VI—DEBT IMPACT**

21 **SEC. 601. CBO SPENDING AND REVENUE ESTIMATES.**

22 Paragraph (1) of section 402 the Congressional
23 Budget Act of 1974 is amended by inserting after the
24 comma the following: “and of the effect on interest and
25 on the Federal debt,”.

1 section 709, unless the agency is reauthorized by the
2 Congress.

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

8 **SEC. 703. ESTABLISHMENT OF COMMISSION.**

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

12 (b) COMPOSITION.—The Commission shall be com-
13 posed of 12 members (in this title referred to as the
14 “members”) who shall be appointed as follows:

15 (1) Six members shall be appointed by the
16 Speaker of the House of Representatives, one of
17 whom may include the Speaker of the House of Rep-
18 resentatives, with minority members appointed with
19 the consent of the minority leader of the House of
20 Representatives.

21 (2) Six members shall be appointed by the ma-
22 jority leader of the Senate, one of whom may include
23 the majority leader of the Senate, with minority
24 members appointed with the consent of the minority
25 leader of the Senate.

1 (c) QUALIFICATIONS OF MEMBERS.—

2 (1) IN GENERAL.—

3 (A) APPOINTED BY THE SPEAKER OF THE
4 HOUSE OF REPRESENTATIVES.—Of the mem-
5 bers appointed under subsection (b)(1), four
6 shall be members of the House of Representa-
7 tives (not more than two of whom may be of
8 the same political party), and two shall be an
9 individual described in subparagraph (C).

10 (B) APPOINTED BY THE MAJORITY LEAD-
11 ER OF THE SENATE.—Of the members ap-
12 pointed under subsection (b)(2), four shall be
13 members of the Senate (not more than two of
14 whom may be of the same political party) and
15 two shall be an individual described in subpara-
16 graph (C).

17 (C) INDIVIDUAL DESCRIBED.—An indi-
18 vidual under this subparagraph is an indi-
19 vidual—

20 (i) who is not a member of Congress;

21 and

22 (ii) with expertise in the operation
23 and administration of Government pro-
24 grams.

1 (2) CONTINUATION OF MEMBERSHIP.—If a
2 member was appointed to the Commission as a
3 Member of Congress and the member ceases to be
4 a Member of Congress, that member shall cease to
5 be a member of the Commission. The validity of any
6 action of the Commission shall not be affected as a
7 result of a member becoming ineligible to serve as
8 a member for the reasons described in this para-
9 graph.

10 (d) INITIAL APPOINTMENTS.—All initial appoint-
11 ments to the Commission shall be made not later than 90
12 days after the date of the enactment of this Act.

13 (e) CHAIRMAN; VICE CHAIRMAN.—

14 (1) INITIAL CHAIRMAN.—An individual shall be
15 designated by the Speaker of the House of Rep-
16 resentatives from among the members initially ap-
17 pointed under subsection (b)(1) to serve as chairman
18 of the Commission for a period of two years.

19 (2) INITIAL VICE-CHAIRMAN.—An individual
20 shall be designated by the majority leader of the
21 Senate from among the individuals initially ap-
22 pointed under subsection (b)(2) to serve as vice-
23 chairman of the Commission for a period of two
24 years.

1 (3) ALTERNATE APPOINTMENTS OF CHAIRMEN
2 AND VICE-CHAIRMEN.—Following the termination of
3 the 2-year period described in paragraphs (1) and
4 (2), the Speaker and the majority leader shall alter-
5 nate every two years in appointing the chairman and
6 vice-chairman of the Commission.

7 (f) TERMS OF MEMBERS.—

8 (1) IN GENERAL.—Each member appointed to
9 the Commission shall serve for a term of six years,
10 except that, of the members first appointed under
11 paragraphs (1) and (2) of subsection (b), two mem-
12 bers shall be appointed to serve a term of three
13 years under each such paragraph.

14 (2) TERM LIMIT.—

15 (A) MEMBER OF CONGRESS.—A member
16 of the Commission who is a member of Con-
17 gress and who serves more than three years of
18 a term may not be appointed to another term
19 as a member.

20 (B) NOT A MEMBER OF CONGRESS.—A
21 member of the Commission who is not a mem-
22 ber of Congress and who serves as a member of
23 the Commission for more than 56 months may
24 not be appointed to another term as a member.

1 (3) VACANCIES.—Any member appointed to fill
2 a vacancy occurring before the expiration of the
3 term for which the member's predecessor was ap-
4 pointed shall be appointed only for the remainder of
5 that term. A member may serve after the expiration
6 of that member's term until a successor has taken
7 office. A vacancy in the Commission shall be filled
8 in the manner in which the original appointment was
9 made.

10 (g) POWERS OF COMMISSION.—

11 (1) HEARINGS AND SESSIONS.—The Commis-
12 sion may, for the purpose of carrying out this title,
13 hold such hearings, sit and act at such times and
14 places, take such testimony, and receive such evi-
15 dence as the Commission considers appropriate. The
16 Commission may administer oaths to witnesses ap-
17 pearing before it.

18 (2) OBTAINING INFORMATION.—The Commis-
19 sion may secure directly from any agency informa-
20 tion necessary to enable it to carry out its duties
21 under this title. Upon request of the Chairman, the
22 head of that agency shall furnish that information to
23 the Commission in a full and timely manner.

24 (3) SUBPOENA POWER.—

1 (A) AUTHORITY TO ISSUE SUBPOENA.—

2 The Commission may issue a subpoena to re-
3 quire the attendance and testimony of witnesses
4 and the production of evidence relating to any
5 matter under investigation by the Commission.

6 (B) COMPLIANCE WITH SUBPOENA.—If a

7 person refuses to obey an order or subpoena of
8 the Commission that is issued in connection
9 with a Commission proceeding, the Commission
10 may apply to the United States district court in
11 the judicial district in which the proceeding is
12 held for an order requiring the person to com-
13 ply with the subpoena or order.

14 (4) IMMUNITY.—The Commission is an agency
15 of the United States for purposes of part V of title
16 18, United States Code (relating to immunity of wit-
17 nesses).

18 (5) CONTRACT AUTHORITY.—The Commission
19 may contract with and compensate government and
20 private agencies or persons for services without re-
21 gard to section 6101 of title 41, United States Code
22 (relating to advertising requirement for Federal Gov-
23 ernment purchases and sales).

24 (h) COMMISSION PROCEDURES.—

1 (1) MEETINGS.—The Commission shall meet at
2 the call of the Chairman.

3 (2) QUORUM.—Seven members of the Commis-
4 sion shall constitute a quorum but a lesser number
5 may hold hearings.

6 (3) VOTING.—The schedule for review sub-
7 mitted pursuant to section 702(a) and the report
8 and draft of legislation submitted pursuant to sec-
9 tion 704 shall have the approval of not less than 7
10 of the 12 members of the Commission.

11 (i) PERSONNEL MATTERS.—

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

14 (2) TRAVEL EXPENSES.—Each member shall
15 receive travel expenses, including per diem in lieu of
16 subsistence, in accordance with applicable provisions
17 under subchapter I of chapter 57 of title 5, United
18 States Code.

19 (3) DIRECTOR.—The Commission shall have a
20 Director who shall be appointed by the Chairman.
21 The Director shall be paid at a rate not to exceed
22 the maximum rate of basic pay for GS–15 of the
23 General Schedule.

1 (4) STAFF.—The Director may appoint and fix
2 the pay of additional personnel as the Director con-
3 siders appropriate.

4 (5) APPLICABILITY OF CERTAIN CIVIL SERVICE
5 LAWS.—The Director and staff of the Commission
6 shall be appointed subject to the provisions of title
7 5, United States Code, governing appointments in
8 the competitive service, and shall be paid in accord-
9 ance with the provisions of chapter 51 and sub-
10 chapter III of chapter 53 of that title relating to
11 classification and General Schedule pay rates.

12 (j) OTHER ADMINISTRATIVE MATTERS.—

13 (1) POSTAL AND PRINTING SERVICES.—The
14 Commission may use the United States mails and
15 obtain printing and binding services in the same
16 manner and under the same conditions as other
17 agencies.

18 (2) ADMINISTRATIVE SUPPORT SERVICES.—
19 Upon the request of the Commission, the Adminis-
20 trator of General Services shall provide to the Com-
21 mission, on a reimbursable basis, the administrative
22 support services necessary for the Commission to
23 carry out its duties under this title.

24 (3) EXPERTS AND CONSULTANTS.—The Com-
25 mission may procure temporary and intermittent

1 services under section 3109(b) of title 5, United
2 States Code.

3 (k) SUNSET OF COMMISSION.—The Commission shall
4 terminate on December 31, 2036, unless reauthorized by
5 Congress.

6 **SEC. 704. REVIEW OF EFFICIENCY AND NEED FOR FEDERAL**
7 **AGENCIES.**

8 (a) IN GENERAL.—The Commission shall review the
9 efficiency and public need for each agency in accordance
10 with the criteria described in section 705.

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

15 (1) an analysis of the efficiency of operation
16 and public need for each agency to be reviewed in
17 the year in which the report is submitted pursuant
18 to the schedule submitted to Congress under section
19 702;

20 (2) recommendations on whether each such
21 agency should be abolished or reorganized;

22 (3) recommendations on whether the functions
23 of any other agencies should be consolidated, trans-
24 ferred, or reorganized in an agency to be reviewed
25 in the year in which the report is submitted pursu-

1 ant to the schedule submitted to Congress under
2 section 702; and

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

7 (c) DRAFT LEGISLATION.—The Commission shall
8 submit to Congress and the President not later than Sep-
9 tember 1 of each year a draft of legislation to carry out
10 the recommendations of the Commission under subsection
11 (b).

12 (d) INFORMATION GATHERING.—The Commission
13 shall—

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

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

18 (3) require the agency to provide information to
19 the Commission as appropriate; and

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

1 (e) USE OF PROGRAM INVENTORY.—The Commis-
2 sion shall use the program inventory prepared under sec-
3 tion 709 in reviewing the efficiency and public need for
4 each agency under subsection (a).

5 **SEC. 705. CRITERIA FOR REVIEW.**

6 The Commission shall evaluate the efficiency and
7 public need for each agency pursuant to section 704 using
8 the following criteria:

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

12 (2) Whether the programs carried out by the
13 agency are cost-effective.

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

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

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

23 (6) The potential benefits of consolidating pro-
24 grams administered by the agency with similar or

1 duplicative programs of other agencies, and the po-
2 tential for consolidating such programs.

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

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

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

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

23 (11) Whether the agency has worked to enact
24 changes in the law that are intended to benefit the

1 public as a whole rather than the specific business,
2 institution, or individuals that the agency regulates.

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

7 (13) The extent to which the public participa-
8 tion in rulemaking and decisionmaking of the agency
9 has resulted in rules and decisions compatible with
10 the objectives of the agency.

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

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

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

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

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

1 **SEC. 706. 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. 707. DISPOSITION OF AGENCY AFFAIRS.**

5 The President, in consultation with the head of an
6 agency determined to be abolished pursuant to section
7 702(c), may take such action as may be necessary to wind
8 down the operation of such agency during the two-year
9 period following the date of abolishment for each such
10 agency.

11 **SEC. 708. PROGRAM INVENTORY.**

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

18 (b) PURPOSE.—The purpose of the program inven-
19 tory is to advise and assist the Congress and the Commis-
20 sion in carrying out the requirements of this title. Such
21 inventory shall not in any way bind the committees of the
22 Senate or the House of Representatives with respect to
23 their responsibilities under this title and shall not infringe
24 on the legislative and oversight responsibilities of such
25 committees. The Comptroller General shall compile and

1 maintain the inventory and the Director of the Congres-
2 sional Budget Office shall provide budgetary information
3 for inclusion in the inventory.

4 (c) INVENTORY CONTENT.—The program inventory
5 shall set forth for each program each of the following mat-
6 ters:

7 (1) The specific provision or provisions of law
8 authorizing the program.

9 (2) The committees of the Senate and the
10 House of Representatives which have legislative or
11 oversight jurisdiction over the program.

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

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

19 (5) The agency and, if applicable, the subdivi-
20 sion thereof responsible for administering the pro-
21 gram.

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

24 (7) The next reauthorization date for the pro-
25 gram.

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

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

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

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

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

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

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

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

20 (4) not specifically authorized; or

21 (5) permanently provided,

22 as determined by the Director of the Congressional Budg-
23 et Office.

24 (e) CBO INFORMATION.—For each program or group
25 of programs, the program inventory also shall include in-

1 formation prepared by the Director of the Congressional
2 Budget Office indicating 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 four fiscal years and, where applicable,
6 the four succeeding fiscal years.

7 (2) The functional and subfunctional category
8 in which the program is presently classified and was
9 classified under the fiscal year 2012 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 (f) MUTUAL EXCHANGE OF INFORMATION.—The
14 General Accountability Office, the Congressional Research
15 Service, and the Congressional Budget Office shall permit
16 the mutual exchange of available information in their pos-
17 session which would aid in the compilation of the program
18 inventory.

19 (g) ASSISTANCE BY EXECUTIVE BRANCH.—The Of-
20 fice of Management and Budget and the agencies (and the
21 subdivisions thereof) shall, to the extent necessary and
22 possible, provide the General Accountability Office with
23 assistance requested by the Comptroller General in the
24 compilation of the program inventory.

1 **SEC. 709. EXPEDITED CONSIDERATION OF SCHEDULE FOR**
2 **REVIEW.**

3 (a) INTRODUCTION AND COMMITTEE CONSIDER-
4 ATION.—

5 (1) INTRODUCTION.—The Commission schedule
6 for review bill shall be introduced in the Senate by
7 the majority leader, or the majority leader's des-
8 ignee, and in the House of Representatives, by the
9 Speaker, or the Speaker's designee. Upon such in-
10 troduction, the Commission schedule for review bill
11 shall be referred to the appropriate committees of
12 Congress under paragraph (2). If the Commission
13 schedule for review bill is not introduced in accord-
14 ance with the preceding sentence, then any member
15 of Congress may introduce such bill in their respec-
16 tive House of Congress beginning on the date that
17 is the 5th calendar day that such House is in session
18 following the date of the submission of such aggre-
19 gate legislative language provisions.

20 (2) COMMITTEE CONSIDERATION.—

21 (A) REFERRAL.—A Commission schedule
22 for review bill introduced under paragraph (1)
23 shall be referred to any appropriate committee
24 of jurisdiction in the Senate and the House of
25 Representatives. A committee to which a Com-
26 mission schedule for review bill is referred

1 under this paragraph may review and comment
2 on such bill, may report such bill to the respec-
3 tive House, and may not amend such bill.

4 (B) REPORTING.—Not later than 30 cal-
5 endar days after the introduction of the Com-
6 mission schedule for review bill, each Com-
7 mittee of Congress to which the Commission
8 schedule for review bill was referred shall report
9 the bill.

10 (C) DISCHARGE OF COMMITTEE.—If a
11 committee to which is referred a Commission
12 schedule for review bill has not reported such
13 bill at the end of 30 calendar days after its in-
14 troduction or at the end of the first day after
15 there has been reported to the House involved
16 a Commission schedule for review bill, which-
17 ever is earlier, such committee shall be deemed
18 to be discharged from further consideration of
19 such bill, and such bill shall be placed on the
20 appropriate calendar of the House involved.

21 (b) EXPEDITED PROCEDURE.—

22 (1) CONSIDERATION.—

23 (A) IN GENERAL.—Not later than 5 cal-
24 endar days after the date on which a committee
25 has reported a Commission schedule for review

1 bill or been discharged from consideration of a
2 Commission schedule for review bill, the major-
3 ity leader of the Senate, or the majority leader's
4 designee, or the Speaker of the House of Rep-
5 resentatives, or the Speaker's designee, shall
6 move to proceed to the consideration of the
7 Commission schedule for review bill. It shall
8 also be in order for any member of the Senate
9 or the House of Representatives, respectively, to
10 move to proceed to the consideration of the
11 Commission schedule for review bill at any time
12 after the conclusion of such 5-day period.

13 (B) MOTION TO PROCEED.—A motion to
14 proceed to the consideration of a Commission
15 schedule for review bill is highly privileged in
16 the House of Representatives and is privileged
17 in the Senate and is not debatable. The motion
18 is not subject to amendment or to a motion to
19 postpone consideration of the Commission
20 schedule for review bill. If the motion to pro-
21 ceed is agreed to, the Senate or the House of
22 Representatives, as the case may be, shall im-
23 mediately proceed to consideration of the Com-
24 mission schedule for review bill without inter-
25 vening motion, order, or other business, and the

1 Commission schedule for review bill shall re-
2 main the unfinished business of the Senate or
3 the House of Representatives, as the case may
4 be, until disposed of.

5 (C) LIMITED DEBATE.—Debate on the
6 Commission schedule for review bill and on all
7 debatable motions and appeals in connection
8 therewith shall be limited to not more than 10
9 hours, which shall be divided equally between
10 those favoring and those opposing the Commis-
11 sion schedule for review bill. A motion further
12 to limit debate on the Commission schedule for
13 review bill is in order and is not debatable. All
14 time used for consideration of the Commission
15 schedule for review bill, including time used for
16 quorum calls (except quorum calls immediately
17 preceding a vote) and voting, shall come from
18 the 10 hours of debate.

19 (D) AMENDMENTS.—No amendment to the
20 Commission schedule for review bill shall be in
21 order in the Senate and the House of Rep-
22 resentatives.

23 (E) VOTE ON FINAL PASSAGE.—Imme-
24 diately following the conclusion of the debate on
25 the Commission schedule for review bill, the

1 vote on final passage of the Commission sched-
2 ule for review bill shall occur.

3 (F) OTHER MOTIONS NOT IN ORDER.—A
4 motion to postpone consideration of the Com-
5 mission schedule for review bill, a motion to
6 proceed to the consideration of other business,
7 or a motion to recommit the Commission sched-
8 ule for review bill is not in order. A motion to
9 reconsider the vote by which the Commission
10 schedule for review bill is agreed to or not
11 agreed to is not in order.

12 (2) CONSIDERATION BY OTHER HOUSE.—If, be-
13 fore the passage by one House of the Commission
14 schedule for review bill that was introduced in such
15 House, such House receives from the other House a
16 Commission schedule for review bill as passed by
17 such other House—

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

23 (B) the procedure in the House in receipt
24 of the Commission schedule for review bill of
25 the other House, shall be the same as if no

1 Commission schedule for review bill had been
2 received from the other House; and

3 (C) notwithstanding subparagraph (B), the
4 vote on final passage shall be on the Commis-
5 sion schedule for review bill of the other House.

6 (3) DISPOSITION.—Upon disposition of a Com-
7 mission schedule for review bill that is received by
8 one House from the other House, it shall no longer
9 be in order to consider the Commission schedule for
10 review bill that was introduced in the receiving
11 House.

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

14 (1) as an exercise of the rulemaking power of
15 the Senate and the House of Representatives, re-
16 spectively, and is deemed to be part of the rules of
17 each House, respectively, but applicable only with re-
18 spect to the procedure to be followed in that House
19 in the case of a Commission schedule for review bill,
20 and it supersedes other rules only to the extent that
21 it is inconsistent with such rules; and

22 (2) with full recognition of the constitutional
23 right of either House to change the rules (so far as
24 they relate to the procedure of that House) at any

1 time, in the same manner, and to the same extent
2 as in the case of any other rule of that House.

3 **SEC. 710. DEFINITIONS.**

4 In this title:

5 (1) AGENCY.—The term “agency” has the
6 meaning given the term Executive agency in section
7 105 of title 5, United States Code, except that such
8 term includes an advisory committee as that term is
9 defined in section 3 of the Federal Advisory Com-
10 mittee Act (5 U.S.C. App.).

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

15 (3) COMMISSION.—The term “Commission”
16 means the Federal Agency Sunset Commission es-
17 tablished under section 703.

18 (4) COMMISSION SCHEDULE FOR REVIEW
19 BILL.—The term “Commission schedule for review
20 bill” means only a bill that is introduced as provided
21 under section 709, and contains the schedule for re-
22 view submitted pursuant to section 702(a), without
23 modification.

1 (5) SUPERMAJORITY.—The term “super-
2 majority” means an affirmative vote of two-thirds of
3 the Members, duly chosen and sworn.

4 **SEC. 711. OFFSET OF AMOUNTS APPROPRIATED.**

5 Amounts appropriated to carry out this title shall be
6 offset by a reduction in amounts appropriated to carry out
7 programs of other agencies.

8 **TITLE VIII—SEVERABILITY**

9 **SEC. 801. SEVERABILITY.**

10 In the event that any provision of this Act shall, for
11 any reason, be held to be invalid or unenforceable in any
12 respect, such invalidity or unenforceability shall not affect
13 any other provision of this Act, and this Act shall be con-
14 strued as if the invalid or unenforceable provision had
15 never been included in this Act.

○