

115TH CONGRESS
2D SESSION

H. R. 4911

To establish a Joint Commission on Budget Process Reform.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2018

Mr. SMUCKER introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a Joint Commission on Budget Process Reform.

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; PURPOSE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Joint Commission on Budget Process Reform Act of
6 2018”.

7 (b) PURPOSE.—The purpose of this Act is to estab-
8 lish a Joint Commission on Budget Process Reform.

1 **SEC. 2. THE JOINT COMMISSION ON BUDGET PROCESS RE-**
2 **FORM.**

3 (a) ESTABLISHMENT.—There is established is an
4 independent commission to be known as the Joint Com-
5 mission on Budget Process Reform (hereafter referred to
6 as the “joint commission”).

7 (b) DUTIES.—The joint commission shall carry out
8 the following duties:

9 (1) Studying procedures on the budget and
10 Federal expenditures.

11 (2) Conducting at least four public hearings to
12 examine potential budget process reforms before dis-
13 solution of the joint commission.

14 (3) Seeking recommendations from economists,
15 experts, Members of Congress, Federal agencies,
16 educational institutions, State legislatures, and pri-
17 vate organizations on ways to reform the congres-
18 sional budget process.

19 (4) Drafting a bill that amends the Congres-
20 sional Budget and Impoundment Control Act of
21 1974 (2 U.S.C. 621 et seq.).

22 (5) Submitting a report to each House of Con-
23 gress containing the bill it recommends and such
24 other matters it deems appropriate.

25 (c) CONTENTS OF REPORT.—The joint commission
26 shall examine the following issues and include a summary

1 of its findings respecting those issues in the report re-
2 quired under subsection (b)(5):

3 (1) Potential changes and enforcement tools to
4 ensure an on-time completion of the congressional
5 budget process.

6 (2) Procedures to address mandatory spending
7 levels.

8 (3) The impact of instituting long-term debt
9 limits.

10 (4) Procedures to increase inclusiveness and
11 transparency in the congressional budget process.

12 (5) The feasibility of a balanced budget amend-
13 ment.

14 (6) The impact of a binding congressional
15 budget.

16 (7) The need to reauthorize the Congressional
17 Budget Office in an effort to provide greater assist-
18 ance to the House and Senate Budget Committees.

19 (8) The feasibility of changing the fiscal year
20 from October 1st to January 1st so it aligns with
21 the calendar year.

22 (9) The examination of whether or not there
23 should be term limits for members to serve on the
24 Budget Committees of the House of Representatives
25 and the Senate.

1 (10) The efficiency of annual budgeting in com-
2 parison to biennial budgeting.

3 (d) APPOINTMENT.—

4 (1) The joint commission shall be composed of
5 the following 23 members:

6 (A) The chair of the Committee on the
7 Budget of the House of Representatives.

8 (B) The ranking member of the Committee
9 on the Budget of the House of Representatives.

10 (C) The chair of the Committee on the
11 Budget of the Senate.

12 (D) The ranking member of the Committee
13 on the Budget of the Senate.

14 (E) The chair of the Committee on Appro-
15 priations of the House of Representatives.

16 (F) The ranking member of the Committee
17 on Appropriations of the House of Representa-
18 tives.

19 (G) The chair of the Committee on Appro-
20 priations of the Senate.

21 (H) The ranking member of the Com-
22 mittee on Appropriations of the Senate.

23 (I) The chair of the Committee on Ways
24 and Means of the House of Representatives.

1 (J) The ranking member of the Committee
2 on Ways and Means of the House of Represent-
3 atives.

4 (K) The chair of the Committee on Fi-
5 nance of the Senate.

6 (L) The ranking member of the Committee
7 on Finance of the Senate.

8 (M) The Director of the Office of Manage-
9 ment and Budget.

10 (N) The Secretary of the Treasury.

11 (O) The Comptroller General.

12 (P) Two Members of Congress nominated
13 by the Speaker of the House of Representatives.

14 (Q) Two Senators nominated by the Ma-
15 jority Leader.

16 (R) Two Members nominated by the Mi-
17 nority Leader of the House of Representatives.

18 (S) Two Senators nominated by the Minor-
19 ity Leader of the Senate.

20 (2) The nominees shall be appointed not later
21 than 30 days after the date of enactment of this
22 Act.

23 (3) Each member shall be appointed for the du-
24 ration of the commission. A vacancy in the joint
25 commission shall not affect the power of the remain-

1 ing members to execute the functions of the joint
2 commission. A vacancy shall be filled in the manner
3 in which the original appointments were made.

4 (e) CHAIR.—The joint commission at its first meeting
5 shall elect a member of the commission who is a legislator
6 to serve as chair of the joint commission.

7 (f) DIRECTOR OF STAFF.—The chair of the Joint
8 Commission on Budget Process Reform shall appoint a
9 Director, who shall be paid at the rate of basic pay payable
10 for level IV of the Executive Schedule under section 5315
11 of title 5, United States Code.

12 (g) STAFF.—(1) The Staff Director, with the ap-
13 proval of the commission, the Director may appoint and
14 fix the pay of additional personnel.

15 (2) Upon the request of the Director of Staff, the
16 head of any Federal department or agency may detail any
17 of the personnel of that department or agency to the Com-
18 mission to assist the commission in carrying out its duties
19 under this Act.

20 (3) The following restrictions relating to the per-
21 sonnel of the Commission shall apply to the staff of the
22 commission:

23 (A) There may not be more than 15 persons on
24 the staff at one time.

1 (B) The Director may employ and fix the com-
2 pensation of such staff as the chair considers nec-
3 essary.

4 (h) EXPERTS AND CONSULTANTS.—The joint com-
5 mission may procure temporary and intermittent services
6 under section 3109(b) of title 5, United States Code, at
7 rates for individuals which do not exceed the daily equiva-
8 lent of the annual rate of basic pay for a comparable posi-
9 tion paid under the General Schedule.

10 (i) TIMELINE.—(1) The Commission shall hold its
11 first meeting within 30 days after the date of enactment
12 of this Act.

13 (2) The Commission shall hold meetings at the call
14 of the chair of the joint commission.

15 (j) FUNDING.—There is authorized to be appro-
16 priated \$800,000 to the joint commission to carry out its
17 duties.

18 (k) TRAVEL.—The travel expenses of members of the
19 joint commission and staff shall be paid for from appro-
20 priated funds. Staff and members of the joint commission
21 shall abide by the Government travel rules set forth by
22 the Committee on House Administration of the House of
23 Representatives.

1 **SEC. 3. CONGRESSIONAL CONSIDERATION OF REFORM**
2 **PROPOSALS.**

3 (a) INTRODUCTION; REFERRAL; AND REPORT OR
4 DISCHARGE.—

5 (1) INTRODUCTION.—On the first calendar day
6 on which both Houses are in session, on or imme-
7 diately following the date on which the report con-
8 taining the bill it recommends is submitted to Con-
9 gress under section 2, a single bill shall be intro-
10 duced (by request)—

11 (A) in the Senate by the majority leader of
12 the Senate, for himself and the minority leader
13 of the Senate, or by Members of the Senate
14 designated by the majority leader and minority
15 leader of the Senate; and

16 (B) in the House of Representatives by the
17 Speaker of the House of Representatives, for
18 himself and the minority leader of the House of
19 Representatives, or by Members of the House of
20 Representatives designated by the Speaker and
21 minority leader of the House of Representa-
22 tives.

23 (2) REFERRAL.—The implementation bills in-
24 troduced under paragraph (1) shall be referred to
25 any appropriate committee of jurisdiction in the
26 Senate and any appropriate committee of jurisdic-

1 tion in the House of Representatives. A committee
2 to which an implementation bill is referred under
3 this paragraph may report such bill to the respective
4 House without amendment.

5 (3) REPORT OR DISCHARGE.—If a committee to
6 which an implementation bill is referred has not re-
7 ported such bill by the end of the 15th calendar day
8 after the date of the introduction of such bill, such
9 committee shall be immediately discharged from fur-
10 ther consideration of such bill, and upon being re-
11 ported or discharged from the committee, such bill
12 shall be placed on the appropriate calendar.

13 (b) FLOOR CONSIDERATION.—

14 (1) IN GENERAL.—When the committee to
15 which an implementation bill is referred has re-
16 ported, or has been discharged under subsection
17 (a)(3), it is at any time thereafter in order (even
18 though a previous motion to the same effect has
19 been disagreed to) for any Member of the respective
20 House to move to proceed to the consideration of the
21 implementation bill, and all points of order against
22 the implementation bill (and against consideration of
23 the implementation bill) are waived. The motion is
24 highly privileged in the House of Representatives
25 and is privileged in the Senate and is not debatable.

1 The motion is not subject to amendment, or to a
2 motion to postpone, or to a motion to proceed to the
3 consideration of other business. A motion to recon-
4 sider the vote by which the motion is agreed to or
5 disagreed to shall not be in order. If a motion to
6 proceed to the consideration of the implementation
7 bill is agreed to, the implementation bill shall remain
8 the unfinished business of the respective House until
9 disposed of.

10 (2) AMENDMENTS.—An implementation bill
11 may not be amended in the Senate or the House of
12 Representatives.

13 (3) DEBATE.—Debate on the implementation
14 bill, and on all debatable motions and appeals in
15 connection therewith, shall be limited to not more
16 than 10 hours, which shall be divided equally be-
17 tween those favoring and those opposing the resolu-
18 tion. A motion further to limit debate is in order and
19 not debatable. An amendment to, or a motion to
20 postpone, or a motion to proceed to the consider-
21 ation of other business, or a motion to recommit the
22 implementation bill is not in order. A motion to re-
23 consider the vote by which the implementation bill is
24 agreed to or disagreed to is not in order.

1 (4) VOTE ON FINAL PASSAGE.—Immediately
2 following the conclusion of the debate on an imple-
3 mentation bill, and a single quorum call at the con-
4 clusion of the debate if requested in accordance with
5 the rules of the appropriate House, the vote on final
6 passage of the implementation bill shall occur.

7 (5) RULINGS OF THE CHAIR ON PROCEDURE.—
8 Appeals from the decisions of the Chair relating to
9 the application of the rules of the Senate or the
10 House of Representatives, as the case may be, to the
11 procedure relating to an implementation bill shall be
12 decided without debate.

13 (c) COORDINATION WITH ACTION BY OTHER
14 HOUSE.—If, before the passage by one House of an imple-
15 mentation bill of that House, that House receives from
16 the other House an implementation bill, then the following
17 procedures shall apply:

18 (1) NONREFERRAL.—The implementation bill
19 of the other House shall not be referred to a com-
20 mittee.

21 (2) VOTE ON BILL OF OTHER HOUSE.—With
22 respect to an implementation bill of the House re-
23 ceiving the implementation bill—

1 (A) the procedure in that House shall be
2 the same as if no implementation bill had been
3 received from the other House; but

4 (B) the vote on final passage shall be on
5 the implementation bill of the other House.

6 (d) RULES OF THE SENATE AND THE HOUSE OF
7 REPRESENTATIVES.—This section is enacted by Con-
8 gress—

9 (1) as an exercise of the rulemaking power of
10 the Senate and the House of Representatives, re-
11 spectively, and as such it is deemed a part of the
12 rules of each House, respectively, but applicable only
13 with respect to the procedure to be followed in that
14 House in the case of an implementation bill de-
15 scribed in subsection (a), and it supersedes other
16 rules only to the extent that it is inconsistent with
17 such rules; and

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

23 **SEC. 4. TERMINATION AND DISPOSITION OF RECORDS.**

24 (a) TERMINATION.—The joint commission shall ter-
25minate not later than the earlier of—

1 (1) 2 years after the date of enactment of this
2 Act; or

3 (2) the date upon which the bill referred to in
4 section 2(b)(4) is signed into law by the President.

5 (b) DISPOSITION OF RECORDS.—Upon termination
6 of the joint commission, its records shall become the
7 records of the Committees on the Budget of the House
8 of Representatives and the Senate.

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