

PART C
EMERGENCY POWERS
TO ELIMINATE
DEFICITS¹¹³¹ IN EXCESS
OF MAXIMUM
DEFICIT AMOUNT¹¹³²

§ 250 **SEC. 250.¹¹³³ TABLE OF CONTENTS; STATEMENT OF BUDGET ENFORCEMENT THROUGH SEQUESTRATION;¹¹³⁴ DEFINITIONS.**

§ 250(a) **(a) TABLE OF CONTENTS. —**

Sec. 250. Table of contents; budget enforcement statement; definitions.

Sec. 251. Enforcing discretionary spending limits.¹¹³⁵

¹¹³¹ Section 250(c)(1) (*see infra* p. 440) defines "deficit" at least in part by reference to the definition of section 3(6) of the Congressional Budget Act. *See supra* p. 16.

¹¹³² Section 250(c)(1) of Gramm-Rudman-Hollings (*see infra* p. 440) defines "maximum deficit amount" by adopting the definition of section 601(a)(1) of the Congressional Budget Act (*see supra* p. 299) as adjusted under sections 251 and 253 of Gramm-Rudman-Hollings. *See infra* pp. 475-502, 523-533.

¹¹³³ Section 250 is codified at 2 U.S.C. § 900 (Supp. IV 1992). Section 13101(a) of the Budget Enforcement Act added section 250 (*see infra* p. 701), with the exception of section 250(c)(21), which section 13101(b) of the Budget Enforcement Act transferred from section 257(12) of Gramm-Rudman-Hollings. *See infra* p. 701.

¹¹³⁴ Section 250(c)(2) defines "sequestration." *See infra* p. 440.

¹¹³⁵ Section 250(c)(1) of Gramm-Rudman-Hollings (*see infra* p. 440) defines "discretionary spending limit" by adopting the definition of section 601(a)(2) of the Congressional Budget Act (*see supra* pp. 301-303) as adjusted under sections 251 and 253 of Gramm-Rudman-Hollings. *See infra* pp. 475-502, 523-533.

- Sec. 252. Enforcing pay-as-you-go.
- Sec. 253. Enforcing deficit¹¹³⁶ targets.
- Sec. 254. Reports and orders.
- Sec. 255. Exempt programs and activities.
- Sec. 256. Special rules.
- Sec. 257. The baseline.¹¹³⁷
- Sec. 258. Suspension in the event of war or low growth.
- Sec. 258A. Modification of presidential order.
- Sec. 258B. Alternative defense sequestration.¹¹³⁸
- Sec. 258C. Special reconciliation process.

§ 250(b) (b) **GENERAL STATEMENT OF BUDGET ENFORCEMENT THROUGH SEQUESTRATION.**¹¹³⁹ — This part provides for the enforcement of the deficit¹¹⁴⁰ reduction assumed in House Concurrent Resolution 310 (101st Congress, second session)¹¹⁴¹ and the applicable deficit targets¹¹⁴² for fiscal years 1991 through 1995. Enforcement, as necessary, is to be implemented through sequestration —

§ 250(b)(1) (1) to enforce discretionary spending levels assumed in that resolution (with adjustments as provided hereinafter);

§ 250(b)(2) (2) to enforce the requirement that any legislation

¹¹³⁶ Section 250(c)(1) (*see infra* p. 440) defines "deficit" at least in part by reference to the definition of section 3(6) of the Congressional Budget Act. *See supra* p. 16.

¹¹³⁷ Section 250(c) (*see infra* p. 442) defines "baseline" in substantial part by reference to section 257. *See infra* pp. 600-617.

¹¹³⁸ Section 250(c)(2) defines "sequestration." *See infra* p. 440.

¹¹³⁹ Section 250(c)(2) defines "sequestration." *See infra* p. 440.

¹¹⁴⁰ Section 250(c)(1) (*see infra* p. 440) defines "deficit" at least in part by reference to the definition of section 3(6) of the Congressional Budget Act. *See supra* p. 16.

¹¹⁴¹ Concurrent Resolution on the Budget — Fiscal Year 1991, H. Con. Res. 310, 101st Cong., 2d Sess., 104 Stat. 5163 (1990) (implementing the bipartisan budget agreement between the President and the joint leadership of Congress).

¹¹⁴² Section 601(a)(1) of the Congressional Budget Act defines "maximum deficit amount." *See supra* pp. 299-300.

increasing direct spending¹¹⁴³ or decreasing revenues be on a pay-as-you-go basis; and

§ 250(b)(3) (3) to enforce the deficit targets specifically set forth¹¹⁴⁴ in the Congressional Budget and Impoundment Control Act of 1974 (with adjustments as provided herein-after);

applied in the order set forth above.¹¹⁴⁵

§ 250(c) (c) DEFINITIONS.¹¹⁴⁶ —

¹¹⁴³ Section 250(c)(8) defines "direct spending." See *infra* p. 444.

¹¹⁴⁴ Section 601(a)(1) of the Congressional Budget Act defines "maximum deficit amount." See *supra* pp. 299-300.

¹¹⁴⁵ The statement of managers accompanying the conference report on the Budget Enforcement Act explains generally the sequestration mechanisms that the Act added:

TITLE XIII — BUDGET ENFORCEMENT

BUDGET ENFORCEMENT ACT OF 1990

The conference agreement adds new enforcement mechanisms for discretionary spending[,] entitlements, and receipts to preserve the deficit reduction achieved by this Act over the next five years. The conference agreement adds a pay-as-you-go mechanism to ensure that any new entitlement or receipt legislation will not increase the deficit. The conference agreement also sets forth limits (caps) on discretionary spending provided in the annual appropriations process for each of fiscal years 1991 through 1995, and enforces these through a mechanism to require across-the-board cuts within any category to make up for any overages. To enforce deficit targets in fiscal years 1994 and 1995, the conference agreement extends the existing Gramm-Rudman-Hollings mechanism through fiscal year 1995, but with new procedures to allow adjustment for revised economic and technical estimates, in 1994 and 1995 at the President's option.

H.R. CONF. REP. No. 101-964, 101st Cong., 2d Sess. 1151 (1990), *reprinted in* 1990 U.S.C.A.N. 2374, 2856.

¹¹⁴⁶ Section 13101(a) of the Budget Enforcement Act added section 250(c). See *infra* p. 701. For legislative history of section 250(c), see *infra* note 1197 (at the end of this section).

As used in this part:

- § 250(c)(1) (1) The terms "budget authority", "new budget authority", "outlays", and "deficit" have the meanings given to such terms in section 3 of the Congressional Budget and Impoundment Control Act of 1974 (but including the treatment specified in section 257(b)(3) of the Hospital Insurance Trust Fund¹¹⁴⁷) and the terms "maximum deficit amount" and "discretionary spending limit" shall mean the amounts specified in section 601¹¹⁴⁸ of that Act as adjusted under sections 251 and 253 of this Act.
- § 250(c)(2) (2) The terms "sequester" and "sequestration" refer to or mean the cancellation of budgetary resources¹¹⁴⁹ provided by discretionary appropriations¹¹⁵⁰ or direct spending¹¹⁵¹ law.
- § 250(c)(3) (3) The term "breach" means, for any fiscal year, the

¹¹⁴⁷ Section 257(b)(3) provides:

(3) HOSPITAL INSURANCE TRUST FUND. — Notwithstanding any other provision of law, the receipts and disbursements of the Hospital Insurance Trust Fund shall be included in all calculations required by this Act.

See infra p. 602. For a discussion of this language, see *infra* note 1651 (at section 257(b)(3)).

¹¹⁴⁸ Section 601(a)(1) of the Congressional Budget Act defines "maximum deficit amount." *See supra* pp. 299-300. Section 601(a)(2) of the Congressional Budget Act defines "discretionary spending limit." *See supra* pp. 301-303.

¹¹⁴⁹ Section 250(c)(6) defines "budgetary resources." *See infra* p. 443.

¹¹⁵⁰ Section 250(c)(7) defines "discretionary appropriations." *See infra* p. 444.

¹¹⁵¹ Section 250(c)(8) defines "direct spending." *See infra* p. 444.

amount (if any) by which new budget authority¹¹⁵² or outlays¹¹⁵³ for that year (within a category¹¹⁵⁴ of discretionary appropriations¹¹⁵⁵) is above that category's discretionary spending limit¹¹⁵⁶ for new budget authority or outlays for that year, as the case may be.

§ 250(o)(4)

(4) The term "category" means:

§ 250(o)(4)(A)

(A) For fiscal years 1991, 1992, and 1993, any of the following subsets of discretionary appropriations:¹¹⁵⁷ defense,¹¹⁵⁸ international,¹¹⁵⁹ or domestic.¹¹⁶⁰ Discretionary appropriations in each of the three categories shall be those so designated in the joint statement of managers accompanying the

¹¹⁵² Section 250(c)(1) (*see supra* p. 440) defines "budget authority" and "new budget authority" at least in part by reference to the definitions of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

This reference to "new budget authority" means new budget authority as measured pursuant to the baseline requirements of section 257. *See infra* pp. 600-617.

¹¹⁵³ Section 250(c)(1) (*see supra* p. 440) defines "outlays" at least in part by reference to the definition of section 3(1) of the Congressional Budget Act. *See supra* p. 11.

¹¹⁵⁴ Section 250(c)(4) defines "category." *See infra* p. 441.

¹¹⁵⁵ Section 250(c)(7) defines "discretionary appropriations." *See infra* p. 444.

¹¹⁵⁶ Section 250(c)(1) of Gramm-Rudman-Hollings (*see supra* p. 440) defines "discretionary spending limit" by adopting the definition of section 601(a)(2) of the Congressional Budget Act (*see supra* pp. 301-303) as adjusted under sections 251 and 253 of Gramm-Rudman-Hollings. *See infra* pp. 475-502, 523-533.

¹¹⁵⁷ Section 250(c)(7) defines "discretionary appropriations." *See infra* p. 444.

¹¹⁵⁸ For the list of such accounts that appears in the joint statement of managers accompanying the Budget Enforcement Act, *see infra* pp. 454-456.

¹¹⁵⁹ For the list of such accounts that appears in the joint statement of managers accompanying the Budget Enforcement Act, *see infra* pp. 456-458.

¹¹⁶⁰ For the list of such accounts that appears in the joint statement of managers accompanying the Budget Enforcement Act, *see infra* pp. 458-474.

conference report on the Omnibus Budget Reconciliation Act of 1990.¹¹⁶¹ New accounts¹¹⁶² or activities shall be categorized in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate.

§ 250(o)(4)(B) (B) For fiscal years 1994 and 1995,¹¹⁶³ all discretionary appropriations.¹¹⁶⁴

Contributions to the United States to offset the cost of Operation Desert Shield¹¹⁶⁵ shall not be counted within any category.

§ 250(o)(5) (5) The term "baseline" means the projection (described in section 257¹¹⁶⁶) of current-year¹¹⁶⁷ levels

¹¹⁶¹ See *infra* pp. 454-474.

¹¹⁶² Section 250(c)(11) defines "account." See *infra* p. 445.

¹¹⁶³ This should read "1994 through 1998." Section 14002(c)(3)(A) of the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, § 14002(c)(3)(A), 107 Stat. 312 (1993), extended sections 250-252 and 254-258C through fiscal year 1998, but the Act's drafters neglected to make the conforming change here. The joint statement of managers accompanying the Act states that the Act "extends the expiration date of sections 250 through 258C (except for section 253, which pertains to the enforcement of the deficit targets) from the end of fiscal year 1995 to the end of fiscal year 1998" H.R. CONF. REP. NO. 103-213, 103d Cong., 1st Sess. 961 (1993), reprinted in 139 CONG. REC. H5792, H6043 (daily ed. Aug. 4, 1993). The legislative intent to extend the system of one single category of appropriations is particularly clear. Section 14001 of the Act states that "[t]he Congress declares that it is essential to . . . extend the system of discretionary spending limits for the single discretionary category . . ." Pub. L. No. 103-66, § 14001(2), 107 Stat. 312 (1993) (emphasis added). For additional legislative history explaining the extension, see *supra* notes 870 & 936 & *infra* note 1807.

¹¹⁶⁴ Section 250(c)(7) defines "discretionary appropriations." See *infra* p. 444.

¹¹⁶⁵ Section 251(b)(2)(D)(ii) defines "emergency Desert Shield costs." See *infra* p. 499.

¹¹⁶⁶ See *infra* pp. 600-617.

¹¹⁶⁷ Section 250(c)(13) defines "current year." See *infra* p. 446.

of new budget authority,¹¹⁶⁸ outlays,¹¹⁶⁹ receipts, and the surplus or deficit¹¹⁷⁰ into the budget year¹¹⁷¹ and the outyears.¹¹⁷²

§ 250(c)(6) (6) The term "budgetary resources" means —

§ 250(c)(6)(A) (A) with respect to budget year¹¹⁷³ 1991, new budget authority;¹¹⁷⁴ unobligated balances; new loan guarantee commitments or limitations; new direct loan obligations, commitments, or limitations; direct spending¹¹⁷⁵ authority; and obligation limitations; or

§ 250(c)(6)(B) (B) with respect to budget year¹¹⁷⁶ 1992, 1993, 1994, or 1995,¹¹⁷⁷ new budget authority;¹¹⁷⁸

¹¹⁶⁸ Section 250(c)(1) (*see supra* p. 440) defines "budget authority" and "new budget authority" at least in part by reference to the definitions of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

¹¹⁶⁹ Section 250(c)(1) (*see supra* p. 440) defines "outlays" at least in part by reference to the definition of section 3(1) of the Congressional Budget Act. *See supra* p. 11.

¹¹⁷⁰ Section 250(c)(1) (*see supra* p. 440) defines "deficit" at least in part by reference to the definition of section 3(6) of the Congressional Budget Act. *See supra* p. 16.

¹¹⁷¹ Section 250(c)(12) defines "budget year." *See infra* p. 446.

¹¹⁷² Section 250(c)(14) defines "outyear." *See infra* p. 446.

¹¹⁷³ Section 250(c)(12) defines "budget year." *See infra* p. 446.

¹¹⁷⁴ Section 250(c)(1) (*see supra* p. 440) defines "budget authority" and "new budget authority" at least in part by reference to the definitions of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

¹¹⁷⁵ Section 250(c)(8) defines "direct spending." *See infra* p. 444.

¹¹⁷⁶ Section 250(c)(12) defines "budget year." *See infra* p. 446.

¹¹⁷⁷ This should read "1992 through 1998." Section 14002(c)(3)(A) of the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, § 14002(c)(3)(A), 107 Stat. 312 (1993), extended sections 250-252 and 254-258C through fiscal year 1998, but the Act's (continued...)

unobligated balances; direct spending¹¹⁷⁹ authority; and obligation limitations.

§ 250(c)(7) (7) The term "discretionary appropriations" means budgetary resources¹¹⁸⁰ (except to fund direct-spending programs) provided in appropriation Acts.¹¹⁸¹

§ 250(c)(8) (8) The term "direct spending"¹¹⁸² means —

¹¹⁷⁹(...continued)
drafters neglected to make the conforming change here. The joint statement of managers accompanying the Act states that the Act "extends the expiration date of sections 250 through 258C (except for section 253, which pertains to the enforcement of the deficit targets) from the end of fiscal year 1995 to the end of fiscal year 1998" H.R. CONF. REP. NO. 103-213, 103d Cong., 1st Sess. 961 (1993), reprinted in 139 CONG. REC. H5792, H6043 (daily ed. Aug. 4, 1993).

¹¹⁷⁸ Section 250(c)(1) (*see supra* p. 440) defines "budget authority" and "new budget authority" at least in part by reference to the definitions of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

¹¹⁷⁹ Section 250(c)(8) defines "direct spending." *See infra* p. 444.

¹¹⁸⁰ Section 250(c)(6) defines "budgetary resources." *See supra* p. 443.

¹¹⁸¹ Does the language of this definition mean that changes to entitlement law *provided by appropriations acts* (notwithstanding rules 15 and 16 of the Standing Rules of the Senate) will be credited against spending within the discretionary spending caps (under section 251, *see infra* pp. 475-502) and not against the pay-as-you-go ledger (under section 252, *see infra* pp. 509-517)? Scorekeeping guideline number 3 (*see infra* note 1245), referred to in sections 251(a)(7) (*see infra* pp. 480-482) and 252(d) (*see infra* pp. 515-516), and set forth in the joint statement of managers accompanying the conference report on the Budget Enforcement Act, supports that position, and the Office of Management and Budget has reportedly reached that conclusion. *But see* section 252(a) *infra* p. 509, which states that "[t]he purpose of this section is to assure that any legislation . . . affecting direct spending or receipts that increases the deficit . . . will trigger an offsetting sequestration." (emphasis added).

¹¹⁸² For a general discussion of direct spending programs, *see* KENNETH R. CAHILL, ENTITLEMENTS AND OTHER MANDATORY SPENDING (Apr. 6, 1993) (Cong. Res. Serv. rep. no. 93-391 EPW).

§ 250(c)(8)(A) (A) budget authority¹¹⁸³ provided by law other than appropriation Acts;

§ 250(c)(8)(B) (B) entitlement authority;¹¹⁸⁴ and

§ 250(c)(8)(C) (C) the food stamp program.

§ 250(c)(9) (9) The term "current" means, with respect to OMB¹¹⁸⁵ estimates included with a budget submission under section 1105(a) of title 31, United States Code, the estimates consistent with the economic and technical assumptions underlying that budget and with respect to estimates made after submission of the fiscal year 1992 budget that are not included with a budget submission, estimates consistent with the economic and technical assumptions underlying the most recently submitted President's budget.

§ 250(c)(10) (10) The term "real economic growth", with respect to any fiscal year, means the growth in the gross national product during such fiscal year, adjusted for inflation, consistent with Department of Commerce definitions.

§ 250(c)(11) (11) The term "account" means an item for which appropriations are made in any appropriation Act and, for items not provided for in appropriation Acts, such term means an item for which there is a designated budget

¹¹⁸³ Section 250(c)(1) (*see supra* p. 440) defines "budget authority" at least in part by reference to the definition of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

¹¹⁸⁴ Section 3(9) of the Congressional Budget Act (*see supra* p. 18) defines "entitlement authority" to mean (at least for purposes of that Act) the authority described in section 401(c)(2)(C) of that Act (*see supra* p. 252). Section 250(c)(18) (*see infra* p. 447) provides that all references to entitlement authority shall include the mandatory appropriations accounts listed *infra* note 1245.

¹¹⁸⁵ Section 250(c)(15) defines "OMB" to mean "the Director of the Office of Management and Budget." *See infra* p. 446.

account identification code number in the President's budget.

§ 250(c)(12) (12) The term "budget year" means, with respect to a session of Congress, the fiscal year of the Government that starts on October 1 of the calendar year in which that session begins.

§ 250(c)(13) (13) The term "current year" means, with respect to a budget year,¹¹⁸⁶ the fiscal year that immediately precedes that budget year.¹¹⁸⁷

§ 250(c)(14) (14) The term "outyear" means, with respect to a budget year,¹¹⁸⁸ any of the fiscal years that follow the budget year through fiscal year 1995.¹¹⁸⁹

§ 250(c)(15) (15) The term "OMB" means the Director of the Office of Management and Budget.

§ 250(c)(16) (16) The term "CBO" means the Director of the

¹¹⁸⁶ Section 250(c)(12) defines "budget year." See *supra* p. 446.

¹¹⁸⁷ In other words, the "current year" is the fiscal year of the Government that ends on September 30 of the calendar year in which a session of Congress begins. See section 250(c)(12) *supra* p. 446.

¹¹⁸⁸ Section 250(c)(12) defines "budget year." See *supra* p. 446.

¹¹⁸⁹ In other words, an "outyear" is, with respect to a session of Congress, any fiscal year of the Government that starts on October 1 of a calendar year after the year in which the session begins. See section 250(c)(12) *supra* p. 446.

This last reference should read "1998." Section 14002(c)(3)(A) of the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, § 14002(c)(3)(A), 107 Stat. 312 (1993), extended sections 250-252 and 254-258C through fiscal year 1998, but the Act's drafters neglected to make the conforming change here. The joint statement of managers accompanying the Act states that the Act "extends the expiration date of sections 250 through 258C (except for section 253, which pertains to the enforcement of the deficit targets) from the end of fiscal year 1995 to the end of fiscal year 1998" H.R. CONF. REP. NO. 103-213, 103d Cong., 1st Sess. 961 (1993), reprinted in 139 CONG. REC. H5792, H6043 (daily ed. Aug. 4, 1993).

Congressional Budget Office.

§ 250(c)(17) (17) For purposes of sections 252 and 253, legislation enacted during the second session of the One Hundred First Congress shall be deemed to have been enacted before the enactment of this Act.

§ 250(c)(18) (18) As used in this part, all references to entitlement authority¹¹⁹⁰ shall include the list of mandatory appropriations included in the joint explanatory statement of managers accompanying the conference report on the Omnibus Budget Reconciliation Act of 1990.¹¹⁹¹

§ 250(c)(19) (19) The term "deposit insurance" refers to the expenses of the Federal Deposit Insurance Corporation and the funds it incorporates, the Resolution Trust Corporation, the National Credit Union Administration and the funds it incorporates, the Office of Thrift Supervision, the Comptroller of the Currency Assessment Fund, and the RTC Office of Inspector General.

§ 250(c)(20) (20) The term "composite outlay rate" means the percent of new budget authority¹¹⁹² that is converted to outlays¹¹⁹³ in the fiscal year for which the budget authority is provided and subsequent fiscal years, as follows:

¹¹⁹⁰ Section 3(9) of the Congressional Budget Act (*see supra* p. 18) defines "entitlement authority" to mean (at least for purposes of that Act) the authority described in section 401(c)(2)(C) of that Act (*see supra* p. 252). Section 250(c)(18) of Gramm-Rudman-Hollings (*see supra* p. 447) provides that all references to entitlement authority shall include the mandatory appropriations accounts listed *infra* note 1245.

¹¹⁹¹ For the list, *see infra* note 1245.

¹¹⁹² Section 250(c)(1) (*see supra* p. 440) defines "budget authority" and "new budget authority" at least in part by reference to the definitions of section 3(2) of the Congressional Budget Act. *See supra* pp. 11-13.

¹¹⁹³ Section 250(c)(1) (*see supra* p. 440) defines "outlays" at least in part by reference to the definition of section 3(1) of the Congressional Budget Act. *See supra* p. 11.

§ 250(c)(20)(A) (A) For the international category,¹¹⁹⁴ 46 percent for the first year, 20 percent for the second year, 16 percent for the third year, and 8 percent for the fourth year.

§ 250(c)(20)(B) (B) For the domestic category,¹¹⁹⁵ 53 percent for the first year, 31 percent for the second year, 12 percent for the third year, and 2 percent for the fourth year.

§ 250(c)(21) (21)¹¹⁹⁶ The sale of an asset means the sale to the public of any asset, whether physical or financial, owned in whole or in part by the United States. The term "prepayment of a loan" means payments to the United States made in advance of the schedules set by law or contract when the financial asset is first acquired, such as the prepayment to the Federal Financing Bank of loans guaranteed by the Rural Electrification Administration. If a law or contract allows a flexible payment schedule, the term "in advance" shall mean in advance of the slowest payment schedule allowed under such law or contract.¹¹⁹⁷

¹¹⁹⁴ Section 250(c)(4) defines "category." See *supra* p. 441.

¹¹⁹⁵ Section 250(c)(4) defines "category." See *supra* p. 441.

¹¹⁹⁶ Section 13101(b) of the Budget Enforcement Act (*see infra* p. 701) transferred this definition without change from section 257(12) of Gramm-Rudman-Hollings as it existed immediately before enactment of the Budget Enforcement Act. This drafters of the Budget Enforcement Act used this circuitous route so as to assure certain Senators that the Act made no change in the treatment of asset sales; indeed, the Act does not use the term "asset sale."

¹¹⁹⁷ Section 13101(a) of the Budget Enforcement Act added section 250(c). See *infra* p. 701.

The statement of managers accompanying the conference report on the Budget Enforcement Act briefly explains the changes made by this subsection:

X. DEFINITION

(continued...)

¹¹⁹⁷(...continued)
Current law

Section 257 of Gramm-Rudman-Hollings defined the terms "automatic spending increase," "budget outlays," "budget authority," "concurrent resolution on the budget," "deficit," "maximum deficit amount," "real economic growth," "sequester," "sequestration," "account," "sequesterable resource," "margin," "prepayment of a loan," "outlay rate," and "combined outlay rate."

Specifically, section 257 defines "margin" to mean \$10 billion for fiscal years 1988 through 1992 and zero for fiscal year 1993. If the deficit exceeds the Gramm-Rudman-Hollings targets by less than the margin through fiscal year 1992, a sequester order is not triggered.

House bill

The House bill moves the definitions section to a new section 250 and retains or revises the definitions of "outlays," "budget authority," "maximum deficit amount," "real economic growth," "sequester," "sequestration," "account," and "prepayment of a loan." The House bill adds to the definitions section new definitions for "breach," "category," "baseline," "budgetary resources," "discretionary appropriations," "direct spending," "current," "sale of an asset," "budget year," "current year," "outyear," "OMB," and "CBO," but strikes definitions for "automatic spending increase," "concurrent resolution on the budget," "deficit," "sequesterable resources," "outlay rate," and "combined outlay rate." Finally, the House bill redefines "margin" to mean \$15 billion for fiscal year 1994 and 1995 (minus any authorized outlay adjustments).

Senate amendment

The Senate amendment redefines "margin" to mean zero for fiscal years 1991 through 1993 and \$15 billion for fiscal years 1994 and 1995. Other than in the definition of "Margin," the Senate amendment makes no changes in the Gramm-Rudman-Hollings definitions.

Conference agreement

The conference agreement accepts the definition changes proposed by the House, except that no definition of "sale of an asset" is provided. Additionally "margin" is redefined to mean zero for fiscal years 1992 and 1993 and \$15 billion for fiscal years 1994 and 1995.

H.R. CONF. REP. No. 101-964, 101st Cong., 2d Sess. 1170-71 (1990), reprinted in 1990 U.S.C.C.A.N. 2374, 2875-76.

(continued...)

¹¹⁹⁷(...continued)

Before enactment of the Budget Enforcement Act, section 257 of Gramm-Rudman-Hollings dealt with definitions and read as follows:

SEC. 257. DEFINITIONS

For purposes of this title:

(1) The term "automatic spending increase" (except as otherwise provided in sections 255 and 256) means increases in budget outlays due to changes in indexes in the following Federal programs:

National Wool Act (12-4336-0-3-351);

Special milk program (12-3502-0-1-605); and

Vocational rehabilitation (91-0301-0-1-506).

For purposes of the preceding provisions of this paragraph, programs are identified by the designated budget account identification code numbers set forth in the Budget of the United States Government, 1986 — Appendix.

(2) The terms "budget outlays" and "budget authority" have the meaning given to such terms in sections 3(1) and 3(2), respectively, of the Congressional Budget and Impoundment Control Act of 1974.

(3) The term "concurrent resolution on the budget" has the meaning given to such term in section 3(4) of the Congressional Budget and Impoundment Control Act of 1974.

(4) The term "deficit" has the meaning given to such term in section 3(6) of the Congressional Budget and Impoundment Control Act of 1974.

(5) The term "maximum deficit amount", with respect to any fiscal year, means the maximum deficit amount for such fiscal year determined under section 3(7) of the Congressional Budget and Impoundment Control Act of 1974.

(6) The term "real economic growth", with respect to any fiscal year, means the growth in the gross national product during such fiscal year, adjusted for inflation, consistent with Department of Commerce definitions.

(continued...)

¹¹⁹⁷(...continued)

(7) The terms "sequester" and "sequestration" (subject to section 252(a)(4)) refer to or mean the cancellation of new budget authority, unobligated balances, obligated balances, new loan guarantee commitments, new direct loan obligations, and spending authority as defined in section 401(c)(2) of the Congressional Budget Act of 1974, and obligation limitations.

(8) The term "account" means an item for which appropriations are made in any appropriation Act used to determine the budget base, and, for items not provided for in appropriation Acts, such term means an item for which there is a designated budget account identification code number in the Appendix to the President's budget.

(9) The term "sequesterable resource" means new budget authority; unobligated balances; new loan guarantee commitments or limitations; new direct loan obligations, commitments, or limitations; spending authority as defined in section 401(c)(2) of the Congressional Budget Act of 1974; and obligation limitations for budget accounts, programs, projects, and activities that are not exempt from reduction or sequestration under this part.

(10) The term "margin" means \$10,000,000,000 with respect to each of fiscal years 1988 through 1992 and zero with respect to fiscal year 1993.

(11) As used in this part, all references to section 401(c)(2) of the Congressional Budget Act of 1974 shall include (but are not limited to) payments to any person or government under terms of law for the following programs:

(A) Claims, defense (97-0102-0-1-051).

(B) Veterans compensation (36-0153-0-1-701).

(C) Veterans pensions (36-0154-0-1-701).

(D) Burial benefits and miscellaneous assistance (36-0155-0-1-701).

(E) Readjustment benefits (36-0137-0-1-702).

(F) Loan guaranty revolving fund (36-4025-0-3-704).

(G) Guaranteed student loans (91-0230-0-1-502).

(continued...)

¹⁸⁹⁷(...continued)

(H) Social services block grant (75-1634-0-1-506).

(I) Family social services (75-1645-0-1-506).

(J) Rehabilitation services and handicapped research (91-0301-0-1-506).

(K) Grants to States for medicaid (75-0512-0-1-551).

(L) Special benefits for disabled coal miners (75-0409-0-1-601).

(M) Black lung disability trust fund (20-8144-0-7-601).

(N) Special benefits (16-1521-0-1-602).

(O) Federal unemployment benefits and allowances (16-0326-0-1-603).

(P) Supplemental security income program (75-0406-0-1-609).

(Q) Family support payments to States (75-1501-0-1-609).

(R) Food stamp program (12-3505-0-1-605).

(S) Child nutrition programs (12-3539-0-1-605).

(T) Retired pay, coast guard (69-0241-0-1-403).

(U) Government payment for annuitants, employees health benefits (24-0206-0-1-551).

(12) The sale of an asset means the sale to the public of any asset, whether physical or financial, owned in whole or in part by the United States. The term "prepayment of a loan" means payments to the United States made in advance of the schedules set by law or contract when the financial asset is first acquired, such as the prepayment to the Federal Financing Bank of loans guaranteed by the Rural Electrification Administration. If a law or contract allows a flexible payment schedule, the term "in advance" shall mean in advance of the slowest payment schedule allowed under such law or contract.

(continued...)

¹¹⁹⁷(...continued)

(13) The term "outlay rate", with respect to any budget account, program, project, or activity, means —

(A) the ratio of outlays resulting in the fiscal year involved from new budgetary resources for such budget account, program, project, or activity to such new budgetary resources; or

(B) the ratio of outlays resulting in the fiscal year involved from unobligated balances for such budget account, program, project, or activity to such unobligated balances.

(14) The term "combined outlay rate", with respect to any budget account, program, project, or activity, means the weighted average (by budgetary resources) of the ratios determined under subparagraphs (A) and (B) of paragraph (13) for such budget account, program, project, or activity.

DISCRETIONARY APPROPRIATIONS CATEGORIES¹¹⁹⁸

The following is a list of discretionary accounts organized by three subsets of discretionary appropriations: defense, international, and domestic discretionary, pursuant to Section 250(c)(4)(A). New accounts or activities shall be categorized in consultation with the Committees on Appropriations and Budget of the House of Representatives and the Senate.

APPROPRIATED DEFENSE DISCRETIONARY
ACCOUNTS FOR FISCAL 1991

COMMERCE, JUSTICE, STATE

Department of Transportation, Maritime
Administration, Ready reserve force
69-1710-0-1-054

DEFENSE

Department of Defense, Procurement,
Coastal defense augmentation
17-0380-0-1-051
Military personnel, Marine Corps
17-1105-0-1-051
Operation and Maintenance, Marine Corps
17-1106-0-1-051
Operation and Maintenance, Marine Corps
Reserve
17-1107-0-1-051
Reserve personnel, Marine Corps
17-1108-0-1-051
Procurement, Marine Corps
17-1109-0-1-051
Research, development, test, and evaluation, Navy
17-1319-0-1-051
Reserve personnel, Navy
17-1405-0-1-051
Military personnel, Navy
17-1453-0-1-051
Aircraft procurement, Navy
17-1506-0-1-051
Weapons procurement, Navy
17-1507-0-1-051
Shipbuilding and conversion, Navy
17-1611-0-1-051
Operation and Maintenance, Navy

17-1804-0-1-051 -
Operation and Maintenance, Navy
Reserve
17-1806-0-1-051
Other procurement, Navy
17-1810-0-1-051
Navy Stock Fund
17-4911-0-4-051
Navy Industrial Fund
17-4912-0-4-051
Marine Corps Industrial Fund
17-4914-0-4-051
Operation and Maintenance, National
Board for the Promotion of Rifle Practice, Army
21-1705-0-1-051
Military Personnel, Army
21-2010-0-1-051
Operation and Maintenance, Army
21-2020-0-1-051
Aircraft procurement, Army
21-2031-0-1-051
Missile procurement, Army
21-2032-0-1-051
Procurement of weapons and tracked
combat vehicles, Army
21-2033-0-1-051
Procurement of ammunition, Army
21-2034-0-1-051
Other procurement, Army
21-2035-0-1-051
Research, Development, test, and
evaluation, Army
21-2040-0-1-051
Military Personnel, National Guard per-
sonnel, Army
21-2060-0-1-051
Operation and Maintenance, Army
National Guard
21-2065-0-1-051
Reserve personnel, Army
21-2070-0-1-051
Operation and Maintenance, Army
Reserve
21-2080-0-1-051
Revolving and management funds, Army
stock fund
21-4991-0-4-051
Army Industrial Fund
21-4992-0-4-051

¹¹⁹⁸ This list of "DISCRETIONARY APPROPRIATIONS CATEGORIES" on pp. 454-474 appears in the joint statement of managers accompanying the conference report on the Budget Enforcement Act. See H.R. CONF. REP. No. 101-964, 101st Cong., 2d Sess. 1180-218 (1990), reprinted in 1990 U.S.C.A.N. 2374, 2885-923.

Aircraft procurement, Air Force
 57-3010-0-1-051
 Missile procurement, Air Force
 57-3020-0-1-051
 Other procurement, Air Force
 57-3080-0-1-051
 Operation and Maintenance, Air Force
 57-3400-0-1-051
 Military personnel, Air Force
 57-3500-0-1-051
 Research, development, test, and evaluation, Air Force
 57-3600-0-1-051
 Reserve personnel, Air Force
 57-3700-0-1-051
 Operation and Maintenance, Air Force Reserve
 57-3740-0-1-051
 Operation and Maintenance, Air National Guard
 57-3840-0-1-051
 National Guard personnel, Air Force
 57-3850-0-1-051
 Air Force stock fund
 57-4921-0-4-051
 Air Force Industrial Fund
 57-4922-0-4-051
 Operation and Maintenance, Defense agencies
 97-0100-0-1-051
 Court of Military Appeals, Defense
 97-0104-0-1-051
 Drug interdiction and counter-drug activities, Defense
 97-0105-0-1-051
 Goodwill Games
 97-0106-0-1-051
 Office of the Inspector General
 97-0107-0-1-051
 Procurement, Defense agencies
 97-0300-0-1-051
 National guard and reserve equipment
 97-0350-0-1-051
 Defense production act purchases
 97-0360-0-1-051
 Chemical agents and munitions destruction, Defense
 97-0390-0-1-051
 Research, development, test, and evaluation, Defense agencies
 97-0400-0-1-051
 Developmental test and evaluation, Defense
 97-0450-0-1-051
 Operational test and evaluation, Defense
 97-0460-0-1-051
 Environmental Restoration, Defense
 97-0810-0-1-051
 Humanitarian assistance
 97-0819-0-1-051

Defense Stock Fund
 97-4961-0-4-051
 Defense Industrial Fund
 97-4963-0-4-051
 Emergency Response fund
 97-4965-0-4-051
 Central Intelligence Agency, Enhanced security countermeasures capabilities
 56-3401-0-1-054
 Intelligence community staff
 95-0400-0-1-054

ENERGY AND WATER

Department of Energy, Atomic energy defense activities

89-0220-0-1-053

S&E Defense Nuclear Facilities Safety Board,

95-3900-0-1-053

MILITARY CONSTRUCTION

Department of Defense, Family Housing, Navy and Marine Corps

17-0703-0-1-051

Military construction, Navy

17-1205-0-1-051

Military construction, Naval Reserve

17-1235-0-1-051

Family Housing, Army

21-0702-0-1-051

Military construction, Army

21-2050-0-1-051

Military construction, Army National

Guard

21-2085-0-1-051

Military construction, Army Reserve

21-2086-0-1-051

Family housing, Air Force

57-0704-0-1-051

Military construction, Air Force

57-3300-0-1-051

Military construction, Air Force Reserve

57-3730-0-1-051

Military construction, Air National

Guard

57-3830-0-1-051

Base realignment and closure account

97-0103-0-1-051

Military construction, defense agencies

97-0500-0-1-051

Family Housing, Defense agencies

97-0706-01-051

North Atlantic Treaty Organization

Infrastructure

97-0804-0-1-051

Family housing, Homeowners assistance fund, Defense¹

97-4090-0-3-051

VETERANS, HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES

Federal Emergency Management Agency,
S&B (Defense-related activities)
58-0100-0-1-054

Emergency management planning and
assistance (defense-related)

58-0101-0-1-054

Selective Service System, S&B

90-0400-0-1-054

[Note for the list "APPROPRIATED DEFENSE DIS-
CRETIONARY ACCOUNTS FOR FISCAL 1991" that
appears at pp. 454-456:]

¹ Portion of account is non-appropriated
mandatory.

APPROPRIATED INTERNATIONAL DISCRETIONARY
ACCOUNTS FOR FISCAL YEAR 1991

COMMERCE, JUSTICE, STATE

Foreign Claims Settlement Commission,
S&B

15-0100-0-1-153

Payment of Vietnam and U.S.S. Pueblo
prisoner of war claims

15-0104-0-1-153

Department of State, Administration of
Foreign Affairs, S&B

19-0113-0-1-153

Soviet-East European research and
training

19-0118-0-1-153

Administration of Foreign Affairs,
Protection of foreign missions and officials

19-0520-0-1-153

Emergencies in the diplomatic and con-
sular service

19-0522-0-1-153

Payment to the American Institute in
Taiwan

19-0523-0-1-153

Office of the Inspector General

19-0529-0-1-153

Acquisition and maintenance of build-
ings abroad

19-0535-0-1-153

Acquisition and maintenance of build-
ings abroad (special foreign currency)

19-0538-0-1-153

Representation Allowances

19-0545-0-1-153

International Organizations and Confer-
ences, contributions for international peacekeeping
activities

19-1124-0-1-153

International conferences and contin-
gencies

19-1125-0-1-153

Contributions to international organiza-
tions

19-1126-0-1-153

U.S. bilateral science and technology
agreements

19-1151-0-1-153

International Trade Commission, S&B

34-0100-0-1-153

Commission on the Ukraine Famine,

S&B

48-0050-0-1-153

Commission for the Study of Intl.
Migration and Coop., S&B

48-1400-0-1-153

Arms Control and Disarmament Agen-
cy, activities

94-0100-0-1-153
Commission for the Preservation of Amer-
ica's Heritage Abroad, S&B

95-3700-0-1-153
Department of State, Payment to the Asia
Foundation

19-0525-0-1-154
United States Information Agency, S&B
67-0201-0-1-154

East West Center
67-0202-0-1-154

Radio construction
67-0204-0-1-154

Radio broadcasting to Cuba
67-0208-0-1-154

Educational and cultural exchange pro-
grams

67-0209-0-1-154
National Endowment for Democracy
67-0210-0-1-154

Office of the Inspector General
67-0300-0-1-154

Board for International Broadcasting,
Grants and expenses

95-1145-0-1-154
Israel relay station

95-1146-0-1-154

Japan-United States Friendship Commis-
sion trust fund

95-8025-0-[7]-154

FOREIGN OPERATIONS

Department of State, U.S. emergency refu-
gee and migration assistance

11-0040-0-1-151

Multilateral assistance, Contribution to the
Inter-American Devt. Bank

11-0072-0-1-151

Contribution to the International Develop-
ment Association

11-0073-0-1-151

Contribution to the Asian Development
Bank

11-0076-0-1-151

Contribution to the Intl. Bank for Recon-
struction

11-0077-0-1-151

Contribution to the International Finance
Corporation

11-0078-0-1-151

Contribution to the African Development
Fund

11-0079-0-1-151

Contribution to the African Development
Bank

11-0082-0-1-151

Peace Corps

11-0100-0-1-151

African Development Foundation

11-0700-0-1-151
Agency for Intl. Development, Operat-
ing expenses

11-1000-0-1-151

Trade and Development Program

11-1001-0-1-151

Multilateral assistance, Intl. organiza-
tions and programs

11-1005-0-1-151

AID, operating expenses

11-1007-0-1-151

Sabel development program

11-1012-0-1-151

American schools and hospitals abroad

11-1013-0-1-151

Sub-Saharan Africa development assis-
tance

11-1014-0-1-151

Functional development assistance pro-
gram

11-1021-0-1-151

Department of State, International
narcotics control

11-1022-0-1-151

AID, International disaster assistance

11-1035-0-1-151

Special assistance initiative

11-1042-0-1-151

Inter-American Foundation

11-4031-0-3-151

Department of State, migration and
refugee assistance

19-1143-0-1-151

Overseas Private Investment Corpora-
tion

71-4030-0-3-151

AID, Private sector revolving fund

72-4341-0-3-151

International security assistance, peace-
keeping operations

11-1032-0-1-152

Economic support fund

11-1037-0-1-152

Special assistance for Central America,
reconciliation assistance

11-1038-0-1-152

International Security Assistance, Milli-
tary assistance

11-1080-0-1-152

International military education and
training

11-1081-0-1-152

Foreign military financing

11-1082-0-1-152

Department of State, FMS interest buy-
down

11-8882-0-1-152

Anti-terrorism assistance

19-0114-0-1-152

Intl. Monetary Programs, Contribution

to enhanced structural adjustments facility
11-0005-0-1-153
Military sales programs, special defense
acquisition fund

11-4116-0-3-153
Export-Import Bank of the United States
83-4027-0-3-153

LABOR, HHS

United States Institute of Peace, operating
expenses
95-1300-0-1-153

AGRICULTURE, RURAL DEVELOPMENT AND RELATED AGENCIES

Foreign assistance programs, Expenses,
Public Law 480
12-2274-0-1-151

APPROPRIATED DOMESTIC DISCRETIONARY ACCOUNTS FOR FISCAL YEAR 1991

COMMERCE, JUSTICE, STATE

Department of State, International
Commissions, S&E, IBWC

19-1069-0-1-301

Construction, IBWC

19-1078-0-1-301

American section, international commis-
sions

19-1082-0-1-301

Conservation and land management,
Intl. fisheries commissions

19-1087-0-1-302

Marine Mammal Commission, S&E

95-2200-0-1-302

National Oceanic and Atmospheric
Administration, operations, research and facilities
13-1450-0-1-306

Aviation weather services program

13-8105-0-7-306

NOAA, Damage assessment and resto-
ration revolving fund¹

Commission on Agricultural Workers,
S&E

48-0057-0-1-352

Department of Commerce, General
Administration, S&E

13-0120-0-1-376

Minority Business Development Agency

13-0201-0-1-376

Export Administration, Operations and
administration

13-0300-0-1-376

Bureau of the Census, S&E

13-0401-0-1-376

Periodic censuses and programs

13-0450-0-1-376

National Institute of Standards and
Technology, scientific and technical research

13-0500-0-1-376

National Telecommunications and Infor-
mation Administration, S&E

13-0550-0-1-376

United States Travel and Tourism
Administration, S&E

13-0700-0-1-376

Patent and Trademark Office, S&E

13-1006-0-1-376

Technology Administration, S&E

13-1100-0-1-376

International Trade Administration,
operations and administration

13-1250-0-1-376

Economic and Statistical Analysis, S&E

13-1500-0-1-376

NIST, working capital fund

13-4650-0-4-376	Grants and loans administration
NOAA, Fishing vessel and gear damage compensation fund	13-0125-0-1-452
13-5119-0-3-376	Office of the Inspector General
Fishermen's contingency fund	13-0126-0-1-452
13-5120-0-3-376	Economic Development assistance programs
Foreign fishing observer fund	13-2050-0-1-452
13-5123-0-3-376	<i>Guaranteed Loans</i>
Fisheries promotional fund	Regional development programs
13-5124-0-3-376	13-2100-0-1-452
Promote and develop fishery products and research pertaining ³	NOAA, coastal energy impact fund
13-5139-0-2-376	13-4315-0-3-452
Economic Development Administration, miscellaneous appropriations	Economic development revolving fund
13-9911-0-1-376	13-4406-0-3-452
Department of State, fishermen's protective fund	Miscellaneous appropriations (area and regional devt.)
19-5116-0-2-376	13-9911-0-1-452
Federal Communications Commission, S&E	Small Business Administration, disaster relief and insurance, disaster loan fund
27-0100-0-1-376	73-4153-0-3-453
Federal Trade Commission, S&E	<i>Direct Loans</i>
29-0100-0-1-376	Department of Commerce, NTIA, Public telecommunications facilities, planning and construction
Securities and Exchange Commission, S&E	13-0551-0-1-503
50-0100-0-1-376	Department of Health and Human Services, vaccine improvement program trust fund
Small Business Administration, S&E	20-8175-0-7-551
73-0100-0-1-376	Department of Justice, federal law enforcement activities, General Admin., S&E
Office of the Inspector General	15-0129-0-1-751
73-0200-0-1-376	Department of Justice, working capital fund
Pollution control equipment contract guarantee revolving fund	15-4526-0-4-751
73-4147-0-3-376	Federal Bureau of Investigation, S&E
Business loan and investment fund	15-0200-0-1-751
73-4154-0-3-376	Interagency law enforcement, Organized crime drug enforcement
<i>Direct Loans</i>	15-0323-0-1-751
<i>Guaranteed Loans</i>	General Administration, Office of the Inspector General
Surety bond guarantees revolving fund	15-0328-0-1-751
73-4156-0-3-376	Emergency Drug funding
Christopher Columbus Quincentenary Jubilee Commission, S&E	15-0331-0-1-751
76-0800-0-1-376	United States Parole Commission, S&E
Competitiveness Policy Council	15-1061-0-1-751
95-3750-0-1-376	Drug Enforcement Administration, S&E
Advisory Commission on Conferences in Ocean Shipping, S&E	15-1100-0-1-751
48-2500-0-1-403	Immigration and Naturalization Service, S&E
Federal Maritime Commission, S&E	15-1217-0-1-751
65-0100-0-1-403	Immigration Emergency Fund
Maritime Administration, Ship construction	15-1218-0-1-751
69-1708-0-1-403	Equal Employment Opportunity Commission, S&E
Operating Differential subsidies	45-0100-0-1-751
69-1709-0-1-403	Commission on Civil Rights, S&E
Operations and Training	95-1900-0-1-751
69-1750-0-1-403	Supreme Court of the United States, S&E ³
War risk insurance revolving fund	
69-4302-0-3-403	
Vessel operations revolving fund	
69-4303-0-3-403	
Economic Development Administration,	

10-0100-0-1-752
 Care of the building and the grounds
 10-0103-0-1-752
 United States Court of International
 Trade, S&B³
 10-0400-0-1-752
 United States Court of Appeals for the
 Federal Circuit, S&B³
 10-0510-0-1-752
 Courts of Appeals, District Courts, and
 other judicial services, S&B^{4,5}
 [10-0920-0-1-752]
 Defender services
 10-0923-0-1-752
 Fees of jurors and commissioners
 10-0925-0-1-752
 Administrative Office of the United States
 Courts, S&B
 10-0927-0-1-752
 Federal judicial center, S&B
 10-0928-0-1-752
 Courts of Appeals, District Courts, and
 other judicial services, court security
 10-0930-0-1-752
 Furniture and furnishings
 10-0932-0-1-752
 United States Sentencing Commission,
 S&B
 10-0938-0-1-752
 Department of Justice, General Legal
 Activities, S&B
 15-0128-0-1-752
 Antitrust division, S&B
 15-0319-0-1-752
 United States Attorneys, S&B
 15-0322-0-1-752
 United States Marshals Service, S&B
 15-0324-0-1-752
 Community Relations Service, S&B
 15-0500-0-1-752
 Support of United States prisoners
 15-1020-0-1-752
 Assets forfeiture fund²
 15-5042-0-2-752
 United States trustees system fund
 15-5073-0-2-752
 Payment to the Legal Services Corporation
 20-0501-0-1-752
 State Justice Institute, S&B
 48-0052-0-1-752
 Federal Prison System, buildings and
 facilities
 15-1003-0-1-753
 Salaries and Expenses
 15-1060-0-1-753
 Federal Prison Industries, Incorporated²
 15-4500-0-4-753
 Office of Justice Programs, Justice Assis-
 tance
 15-0401-0-1-754

National Institute of Corrections
 15-1004-0-1-754
 Commission on Security and Coopera-
 tion in Europe, S&B
 09-0110-0-1-801
 Dwight David Eisenhower Centennial
 Commission, expenses
 76-1700-0-1-801
 Office of the United States Trade
 Representative, S&B
 11-0400-0-1-802
 The Judiciary, Bicentennial activities
 10-0933-0-1-808
 Commission on the Bicentennial of the
 U.S. Constitution, S&B
 76-0054-0-1-808
 Martin Luther King, Jr. Federal Holiday
 Commission, S&B
 76-0600-0-1-808
 Department of Justice, Working Capital
 Fund
 15-4526-0-4-751

 DEFENSE

 Mildred and Claude Pepper Foundation
 97-0826-0-1-552

 DISTRICT OF COLUMBIA

 Federal payment to the District of
 Columbia
 20-1700-0-1-806

 ENERGY AND WATER

 Department of Energy, General science
 and research activities
 89-0222-0-1-251
 Office of the Nuclear Waste Negotiator,
 S&B
 48-0070-0-1-271
 Nuclear Waste Technical Review Board,
 S&B
 48-0500-0-1-271
 Geothermal resources development fund
 89-0206-0-1-271
 Energy supply, R&D activities
 89-0224-0-1-271
 Uranium supply and enrichment activi-
 ties
 89-0226-0-1-271
 Environmental restoration and waste
 management
 89-0237-0-1-271
 Southeastern Power Administration,
 Operation and Maintenance
 89-0302-0-1-271
 Southwestern Power Administration,
 Operation and Maintenance

89-0303-0-1-371	Corps of Engineers, General investigations
Operation and Maintenance, Alaska Power Administration	96-3121-0-1-301
89-0304-0-1-371	Corps of Engineers, Construction, general
Isotopes production and distribution fund	96-3122-0-1-301
89-4180-0-3-371	Corps of Engineers, Water resources, operation and maintenance, general
Colorado river basin power marketing fund, Western Area P.A.	96-3123-0-1-301
89-4452-0-3-271	Corps of Engineers, General expenses
Construction, rehabilitation, operation and maintenance, Western Area P.A.	96-3124-0-1-301
89-5068-0-3-271	Corps of Engineers, Flood control and coastal emergencies
Nuclear waste disposal fund	96-3125-0-1-301
89-5227-0-2-271	Corps of Engineers, Regulatory Program
Nuclear Regulatory Commission, S&E	96-3126-0-1-301
31-0200-0-1-276	Corps of Engineers, Revolving fund
Office of the Inspector General	96-4902-0-4-301
31-0300-0-1-276	Harbor maintenance trust fund
Federal Energy Regulatory Commission	96-8863-0-7-301
89-0212-0-1-276	Corps of Engineers, operation and maintenance, general
Departmental Administration	96-3123-0-1-303
89-0228-0-1-276	Contribution to Interstate Commission on the Potomac River Basin
Office of the Inspector General	46-0446-0-1-304
89-0236-0-1-276	Appalachian Regional Commission, development programs
Department of the Interior, Bureau of Reclamation, Loan Program	46-0200-0-1-452
14-0667-0-1-301	Tennessee Valley Authority fund (area and regional development)
Direct Loans	64-4110-0-3-452
Construction program	Environmental restoration and waste management
14-0684-0-1-301	89-0237-0-1-271
Working capital fund	
14-4524-0-4-301	INTERIOR
Emergency fund	
14-5043-0-2-301	Department of the Treasury, Financial Management Service, Energy security reserve
General investigations	20-0112-0-1-271
14-5060-0-2-301	Biomass energy development
Operation and Maintenance	20-0114-0-1-271
14-5064-0-2-301	Department of Energy, fossil energy research and development
General administrative expenses	89-0213-0-1-271
14-5065-0-2-301	Naval petroleum and oil shale reserves
Colorado River dam fund, Boulder Canyon project ²	89-0219-0-1-271
14-5656-0-2-301	Clean coal technology
Corps of Engineers, Inland waterways trust fund	89-0235-0-1-271
20-8861-0-7-301	Alternative Fuels Production
Delaware River Basin Commission, S&E	89-5180-0-2-271
46-0100-0-1-301	Energy conservation
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46-0102-0-1-301	Emergency energy preparedness, strategic petroleum reserve
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14-5015-0-2-302	National Park Service, ground transpor-
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14-2301-0-1-452
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mentary and Secondary Education, Indian Educa-
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91-0101-0-1-501
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95-2900-0-1-502
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33-0100-0-1-503
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33-0129-0-1-503
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33-0132-0-1-503
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33-0400-0-1-503
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vice, Tribal health admin.²
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91-0600-0-1-501
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tion
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housing voucher program	Direct Loans
12-2002-0-1-604	Railroad research and development
Rural housing for domestic farm labor	69-0745-0-1-401
12-2004-0-1-604	Conrail commuter transition assistance
Mutual and self-help housing	69-0747-0-1-401
12-2006-0-1-604	Urban Mass Transportation Administra-
Very low income housing repair grants	tion, Administrative expenses
12-2064-0-1-604	69-1120-0-1-401
Rural housing preservation grants	Research, training, and human resources
12-2070-0-1-604	69-1121-0-1-401
FNS, Food donations programs for	Interstate transfer grants-transit
selected groups ³	69-1127-0-1-401
12-3503-0-1-605	Washington Metro
Food program administration	69-1128-0-1-401
12-3508-0-1-605	Formula grants
Special supplemental food program for	69-1129-0-1-401
women, infants, and children	Federal Railroad Administration, Re-
12-3510-0-1-605	gional rail reorganization program
Commodity supplemental food program	69-4100-0-3-401
12-3512-0-1-605	Railroad rehabilitation and improvement
	financing funds ²
TRANSPORTATION SUBCOMMITTEE	69-4411-0-3-401
Department of Transportation, Coast	Federal Highway Administration, Trust
Guard, Offshore oil pollution compensation fund	fund share of other highway programs
69-5167-0-2-304	69-8009-0-7-401
Environmental compliance and restoration	Baltimore-Washington Parkway
	69-8014-0-7-401

National Highway Traffic Safety Admin., Operations and research (trust fund share) 69-8016-0-7-401	Reserve training 69-0242-0-1-403
Federal Highway Administration, Highway safety research and development 69-8017-0-7-401	Research, development, test, and evaluation 69-0243-0-1-403
Highway-related safety grants ² 69-8019-0-7-401	Alteration of bridges 69-0244-0-1-403
National Highway Traffic Safety Administration, Highway traffic safety grants ² 69-8020-0-7-401	Coast Guard supply fund 69-4335-0-4-403
Federal Highway Administration, Motor carrier safety grants ² 69-8048-0-7-401	Coast Guard yard fund 69-4743-0-4-403
University transportation centers 69-8065-0-7-401	Saint Lawrence Seaway Development Corporation, Operations and maintenance 69-8003-0-7-403
Federal-aid highways ² 69-8083-0-7-401	Coast Guard, Boat Safety 69-8149-0-7-403
Urban Mass Transportation Administration, Discretionary grants ² 69-8191-0-7-401	Panama Canal Commission, Panama Canal revolving fund 95-4061-0-3-403
Federal Highway Administration, Right-of-way revolving fund (trust revolving fund) 69-8402-0-8-401	Department of Transportation, Office of the Sec., S&E 69-0102-0-1-407
Trust fund Direct Loans	Research and Special Programs Administration, Research and Special programs 69-0104-0-1-407
Local rail service assistance ¹	Office of Commercial Space Transportation, Operations and Research 69-0108-0-1-407
Miscellaneous appropriations 69-9911-0-1-401	Office of the Inspector General, S&E 69-0130-0-1-407
Urban Mass Transportation and Administration, Miscellaneous expired accounts 69-9913-0-1-401	Office of the Secretary, Transportation, planning, research and development 69-0142-0-1-407
Federal Highway Administration, Miscellaneous highway trust funds 69-9972-0-7-401	Commission on aviation security and terrorism 69-1850-0-1-407
Air transportation, Office of the Secretary, Payments to air carriers, DoT 69-0150-0-1-402	Working capital fund 69-4520-0-4-407
Federal Aviation Administration, Operations 69-1301-0-1-402	Research and Special Programs Administration, Pipeline safety 69-5172-0-2-407
Aviation insurance revolving fund 69-4120-0-3-402	National Transportation Safety Board, S&E 95-0310-0-1-407
Trust fund share of FAA operations 69-8104-0-7-402	Architectural and Transportation Barriers Compliance Board, S&E 95-3200-0-1-751
Grants-in-aid for airports (Airport and airway trust fund) ² 69-8106-0-7-402	Financial Management Service, St Lawrence Seaway toll rebate program 20-8865-0-7-808
Facilities and equipment (Airport and airway trust fund) 69-8107-0-7-402	
Research, engineering and development (Airport and airway trust fund) 69-8108-0-7-402	TREASURY-POSTAL SERVICE
Water transportation, Coast Guard, Operating expenses 69-0201-0-1-403	Payments to the Postal Service, Payment to the Postal Service fund 18-1001-0-1-372
Acquisition, construction, and improvements 69-0240-0-1-403	Disaster relief and insurance, Funds Appropriated to the President, Unanticipated Needs, natural disasters 11-0033-0-1-453

Committee for Purchase from the Blind and other Severely Handicapped, S&B 95-2000-0-1-305	Special Assistance to the President, S&B 11-1454-0-1-802
Health care services, Executive Office of the President, White House Conference for a Drug Free America, S&B 11-0212-0-1-551	Office of National Drug Control Policy, S&B 11-1457-0-1-802
Office of Personnel Management, Civil service retirement and disability fund ¹ 24-8135-0-7-602	Council of Economic Advisors, S&B 11-1900-0-1-802
Department of the Treasury, Federal Law Enforcement Training Center, S&B 20-0104-0-1-751	National Security Council, S&B 11-2000-0-1-802
Acquisitions, construction, improvements, and related expense 20-0105-0-1-751	Office of Policy Development, S&B 11-2200-0-1-802
United States Customs Service, S&B ² 20-0602-0-1-751	Office of National Drug Control Policy, Special forfeiture fund 11-5001-0-2-802
U. S. Customs, Financial crimes enforcement ¹	General Services Administration, Allowances and office staff for former Presidents 47-0105-0-1-802
Operation and maintenance, air interdiction program 20-0604-0-1-751	Department of the Treasury, Departmental Offices, S&B 20-0101-0-1-803
Bureau of Alcohol, Tobacco, and Firearms, S&B 20-1000-0-1-751	Office of the Inspector General 20-0106-0-1-803
United States Secret Service, S&B 20-1408-0-1-751	International affairs 20-0171-0-1-803
Administrative Conference of the United States, S&B 95-1700-0-1-751	Bureau of the Public Debt, Administering the public debt 20-0560-0-1-803
Federal litigative and judicial activities, U.S. Tax Court, S&B 23-0100-0-1-752	Internal Revenue Service, Administration and management 20-0911-0-1-803
Executive direction and management, Funds Appropriated to the President, Unanticipated needs 11-0037-0-1-802	Processing tax returns and assistance 20-0912-0-1-803
Executive Office of the President, Office of Administration, S&B 11-0038-0-1-802	Tax law enforcement 20-0913-0-1-803
Funds Appropriated to the President, Investment in Management Improvement 11-0061-0-1-802	IRS, information system 20-0919-0-1-803
Executive Office of the president, The White House Office, S&B 11-0110-0-1-802	United States Mint, S&B 20-1616-0-1-803
National Critical Materials Council, S&B 11-0111-0-1-802	Financial Management Service, S&B 20-1801-0-1-803
Office of Management and Budget, Office of Federal Procurement Policy, S&B 11-0201-0-1-802	Departmental Offices, Working capital fund 20-4501-0-4-803
Executive Residence at the White House, Operating expenses 11-0210-0-1-802	Bureau of Engraving and Printing Fund 20-4502-0-4-803
Official Residence of the Vice President, Operating expenses 11-0211-0-1-802	United States Customs Service, Customs forfeiture fund 20-5693-0-2-803
OMB, S&B 11-0300-0-1-802	United States Mint, Expansion and improvements 20-9911-0-1-803
	General Services Administration, General Activities, Office of Inspector General 47-0108-0-1-804
	General management and administration, salaries and expenses 47-0110-0-1-804
	Personal Property Activities, Federal supply service 47-0116-0-1-804

Operating expenses, federal property resources service	Office of the Inspector General
47-0533-0-1-804	49-0300-0-1-251
Real property relocation	Space Flight, National Aeronautics and Space Administration, Research and program management (Space Flight)
47-0535-0-1-804	80-0103-0-1-253
Operating expenses, information resources management service	Space flight, control, and data communications (Space Flight)
47-0900-0-1-804	80-0105-0-1-253
Real Property Activities, Federal buildings fund	Construction of facilities (Space Flight)
47-4542-0-4-804	80-0107-0-1-253
Information Resources Management Service, Information technology fund	Research and development (Space Flight)
47-4548-0-4-804	80-0108-0-1-253
National Archives and Records Administration, operating expenses	Space, science, applications, and technology, Research and program management (Space science, applications)
88-0300-0-1-804	80-0103-0-1-254
Central personnel management, OPM, S&E	Construction of facilities (Space, science, applications)
24-0100-0-1-805	80-0107-0-1-254
Office of the Inspector General	Research and development (Space, science, applications)
24-0400-0-1-805	80-0108-0-1-254
Revolving fund	Supporting space activities, Research and program management (Supporting space activities)
24-4571-0-4-805	80-0103-0-1-255
Merit Systems Protection Board, S&E	Space flight, control, and data communications (supporting space activities) ²
41-0100-0-1-805	80-0105-0-1-255
Federal Labor Relations Authority, S&E	Construction of facilities (Supporting space activities)
54-0100-0-1-805	80-0107-0-1-255
Office of Government Ethics, S&E	Research and development (Supporting space activities)
95-1100-0-1-805	80-0108-0-1-255
Advisory Committee on Federal Pay, S&E	Office of the Inspector General
95-1800-0-1-805	80-0109-0-1-255
Department of the Treasury, United States Customs Service, customs services at small airports	Environmental Protection Agency, Research and development (Energy supply)
20-5694-0-2-808	68-0107-0-1-271
Advisory Commission on Intergovernmental Relations, S&E	Pollution control and abatement, Hazardous substance superfund
55-0100-0-1-808	20-8145-0-7-304
Office of Special Counsel, S&E	Leaking underground storage tank trust fund
62-0100-0-1-808	20-8153-0-7-304
Federal Election Commission, S&E	Operations, research, and facilities
95-1600-0-1-808	68-0100-0-1-304
VETERANS, HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES	Construction grants
National Science Foundation, Research and related activities	68-0103-0-1-304
49-0100-0-1-251	Scientific activities overseas (Special foreign currency program)
Scientific activities overseas (special foreign currency program)	68-0104-0-1-304
49-0102-0-1-251	Research and development (Pollution control and abatement)
Science and engineering education activities	68-0107-0-1-304
49-0106-0-1-251	Abatement, control, and compliance
Academic research facilities	68-0108-0-1-304
49-0150-0-1-251	
U.S. Antarctic program activities	
49-0200-0-1-251	
U.S. Antarctic logistical support activities	
49-0202-0-1-251	

<i>Direct loans</i>	86-0162-0-1-451
Buildings and facilities	<i>Guaranteed Loans</i>
68-0110-0-1-304	Subsidized Housing programs (commu-
Office of the Inspector General	nity development)
68-0112-0-1-304	86-0164-0-1-451
Salaries and expenses	Urban Development action grants
68-0200-0-1-304	86-0170-0-1-451
Resolution Trust Corporation, OIG	Urban homesteading
22-1500-0-1-371	86-0171-0-1-451
Mortgage credit and deposit insurance,	Rental rehabilitation grants
National Credit Union Administration, Central	86-0182-0-1-451
liquidity facility	Rental housing assistance for the home-
25-4470-0-3-371	less
<i>Direct Loans</i>	86-0187-0-1-451
Department of Housing and Urban Devel-	Management and Administration, Office
opment, FHA mutual mortgage and cooperative	of the Inspector General
housing insurance funds ^{2,3}	86-0189-0-1-451
86-4070-0-3-371	Community Planning and Development,
<i>Direct Loans</i>	Rehabilitation loan fund
<i>Guaranteed Loans</i>	86-4036-0-3-451
FHA general and special risk insurance	<i>Direct Loans</i>
funds ^{2,3}	Urban Renewal Project Proceeds ¹
86-4072-0-3-371	Federal Emergency Management
<i>Direct Loans</i>	Agency, S&E (disaster relief and insurance)
<i>Guaranteed Loans</i>	58-0100-0-1-453
Housing for the elderly or handicapped	Emergency management planning and
fund	assistance
86-4115-0-3-371	58-0101-0-1-453
<i>Direct Loans</i>	Disaster relief
GNMA, Guarantees of mortgage-backed	58-0104-0-1-453
securities ²	Office of the Inspector General
86-4238-0-3-371	58-0300-0-1-453
<i>Secondary Loan Guarantees</i>	Points of Light Foundation
General Services Administration, General	11-0055-0-1-506
Activities, Consumer Information center fund	National Service Agency ¹
47-4549-0-3-376	Department of Health and Human Ser-
Payment to the National Institute of Build-	vices, Office of the Secretary, Office of Consumer
ing Sciences	Affairs
95-3601-0-1-376	75-0137-0-1-506
National Aeronautics and Space Adminis-	Department of HUD, Housing counsel-
tration (research and program management - Air	ing assistance
transportation)	86-0156-0-1-506
80-0103-0-1-402	Consumer Product Safety Commission,
Construction of facilities (air transporta-	S&E
tion)	61-0100-0-1-554
80-0107-0-1-402	Interagency Council on the Homeless
Research and development (air transporta-	48-1300-0-1-604
tion)	Department of HUD, Management and
80-0108-0-1-402	Administration, S&E
—	86-0143-0-1-604
Payment to the Neighborhood Reinvest-	Public and Indian Housing Programs,
ment Corporation	payments for operation of low income housing
82-1300-0-1-451	projects
Department of Housing and Urban Devel-	86-0163-0-1-604
opment, Policy Development and Research, Re-	Subsidized housing programs (housing
search and technology	assistance)
86-0108-0-1-451	86-0164-0-1-604
Management and Administration, S&E	Congregate services program
86-0143-0-1-451	86-0178-0-1-604
Community development grants	Community Planning and Development,

Emergency shelter grants program
86-0181-0-1-604

Transitional housing program
86-0188-0-1-604

Section 8 moderate rehabilitation, single room occupancy
86-0185-0-1-604

Home ownership and opportunity for people everywhere
86-0196-0-1-604

Drug elimination grants, low income housing
86-0197-0-1-604

Nonprofit sponsor assistance
86-4042-0-3-604

Direct Loans

Flexible subsidy fund
86-4044-0-3-604

Direct Loans

Nehemiah housing opportunity fund
86-4071-0-1-604

Direct Loans

Public Housing Commission
86-788[0]-0-1-604

Native American Housing Commission
86-788[8]-0-1-604

FEMA, emergency food and shelter program
58-0103-0-1-605

Department of Veterans Affairs, veterans job training
36-0103-0-1-702

Vocational rehabilitation revolving fund
36-4114-0-3-702

Education loan fund
36-4118-0-3-702

Construction, major projects
36-0110-0-1-703

Construction, minor projects
36-0111-0-1-703

Grants to the Republic of the Philippines
36-0144-0-1-703

Medical administration and miscellaneous operating expenses
36-0152-0-1-703

Medical care
36-0160-0-1-703

Medical and prosthetic research
36-0161-0-1-703

Grants for construction of state extended care facilities
36-0181-0-1-703

Nursing home revolving fund
36-4013-0-3-703

Parking garage revolving fund
36-4538-0-3-703

Veterans housing, direct loan revolving fund
36-4024-0-3-704

Direct Loans

Cemeterial expenses, Army, S&B
21-1805-0-1-705

Departmental Administration, General operating expenses
36-0151-0-1-705

Office of the Inspector General
36-0170-0-1-705

Grants for the construction of State veterans cemeteries
36-0183-0-1-705

American Battle Monuments Commission, S&B
74-0100-0-1-705

Court of Veterans Appeals, S&B
95-0300-0-1-705

Department of HUD, Management and Administration, S&B
86-0143-0-1-751

Fair Housing activities
86-0144-0-1-751

Executive Office of the President, National Space Council, S&B
11-0020-0-1-802

Council on Environmental Quality and Office of Environmental
11-1453-0-1-802

Office of Science and Space Technology Policy, S&B
11-2600-0-1-802

Department of the Treasury, Office of Revenue Sharing, S&B
20-0107-0-1-806

[Notes for the list "APPROPRIATED DOMESTIC DISCRETIONARY ACCOUNTS FOR FISCAL YEAR 1991" that appears at pp. 458-474:]

¹ Treasury identification number not yet assigned.

² Portion of account is non-appropriated permanent.

³ Portion of account is mandatory.

This list of "DISCRETIONARY APPROPRIATIONS CATEGORIES" on pp. 454-474 appears in the joint statement of managers accompanying the conference report on the Budget Enforcement Act. See H.R. CONF. REP. NO. 101-964, 101st Cong., 2d Sess. 1180-218 (1990), reprinted in 1990 U.S.C.A.N. 2374, 2885-923.

§ 251 **SEC. 251.¹¹⁹⁹ ENFORCING DISCRETIONARY SPENDING LIMITS.¹²⁰⁰**

§ 251(a) **(a) FISCAL YEARS 1991-1998¹²⁰¹ ENFORCEMENT. —**

§ 251(a)(1) **(1) SEQUESTRATION.¹²⁰² — Within 15 calendar days after Congress adjourns¹²⁰³ to end a session and on the same day as a sequestration (if any) under section 252 and section 253, there shall be a sequestration to eliminate a budget-year breach,¹²⁰⁴ if any, within any category.¹²⁰⁵**

¹¹⁹⁹ Section 251 is codified as amended at 2 U.S.C. § 901 (Supp. IV 1992), amended by the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, § 14002(c), 107 Stat. 312 (1993). Section 13101(a) of the Budget Enforcement Act amended section 251 to read substantially as it does now. See *infra* p. 701. For excerpts from the statement of managers accompanying the conference report on the Budget Enforcement Act explaining section 251, see *infra* note 1302 (at the end of this section).

¹²⁰⁰ Section 250(c)(1) of Gramm-Rudman-Hollings (see *supra* p. 440) defines "discretionary spending limit" by adopting the definition of section 601(a)(2) of the Congressional Budget Act (see *supra* pp. 301-303) as adjusted under sections 251 and 253 of Gramm-Rudman-Hollings. See *infra* pp. 475-502, 523-533.

¹²⁰¹ Section 14002(c)(1)(A) of the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, § 14002(c)(1)(A), 107 Stat. 312 (1993), changed this reference to "1998" from "1995." Section 14001 of that Act states that "[t]he Congress declares that it is essential to . . . extend the system of discretionary spending limits for the single discretionary category . . ." *Id.* § 14001. For legislative history of the extension, see *supra* notes 870 & 936 & *infra* note 1807.

¹²⁰² Section 250(c)(2) defines "sequestration." See *supra* p. 440.

¹²⁰³ What happens if the Congress recesses to end the first session of a Congress? Congress plainly intended to require annual review of legislation. This language should be read as "adjourns or recesses to end a session."

¹²⁰⁴ Section 250(c)(3) defines "breach." See *supra* p. 440.

¹²⁰⁵ Section 250(c)(4) defines "category." See *supra* p. 441.

For an example of an end-of-year sequester under this paragraph, see, e.g., OFFICE OF MANAGEMENT AND BUDGET, FINAL OMB SEQUESTER REPORT TO THE PRESIDENT (continued..)