



All Information (Except Text) for H.R.7638 - Budget Control Act

93rd Congress (1973-1974)

**Sponsor:** [Rep. Flowers, Walter \[D-AL-7\]](#) (Introduced 05/09/1973)

**Committees:** House - Rules

**Latest Action:** House - 05/09/1973 Referred to House Committee on Rules. ([All Actions](#))

**Tracker:** Introduced

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Titles (2)

Short Titles

Short Titles - House of Representatives

Short Titles as Introduced

Budget Control Act

Official Titles

Official Titles - House of Representatives

Official Title as Introduced

A bill to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a Legislative Budget Director and Staff, and for other purposes.

Actions Overview (1)

Date	
05/09/1973	Introduced in House

All Actions (2)

Date	
05/09/1973	Referred to House Committee on Rules. Action By: House of Representatives
05/09/1973	Introduced in House Action By: House of Representatives

Cosponsors (0)

Congress.gov databases include cosponsorship dates (including identification of "original" cosponsors) since 1981 (97th Congress). Prior to 1981, you may be able to find some information online, but often the information is available only in print form.

Committees (1)

Committees, subcommittees and links to reports associated with this bill are listed here, as well as the nature and date of [committee activity](#) and [Congressional report](#) number.

Committee / Subcommittee	Date	Activity	Reports
House Rules	05/09/1973	Referred to	

Related Bills (1)

A related bill may be a [companion measure](#), an [identical bill](#), a [procedurally-related measure](#), or one with [text similarities](#). Bill relationships are identified by measures.

Bill	Latest Title	Relationships to H.R.7638	Relationships Identified by
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Subjects (6)

<b>Subject — Policy Area:</b> <a href="#">Economics and Public Finance</a>	Congressional committees	House of Representatives
	Federal budgets	Senate

One [Policy Area](#) term, which best describes an entire measure, is assigned to every public bill or resolution.

Latest Summary (1)

There is one summary for H.R.7638. [View summaries](#)

**Shown Here:**  
Introduced in House (05/09/1973)

Budget Control Act - Title I: Changes in Rules of House and Senate - Establishes in the House of Representatives a Committee on the Budget consisting of 21 members: 7 members from the Committee on Appropriations, 7 members from the Committee on Ways and Means, and 7 members appointed by the Speaker of the House. Provides for the selection of the Chairman of the Committee and for the filling of vacancies on the Committee. Refers to the Committee matters relating to (a) the establishment of an overall limitation on budget outlays, and an overall limitation on new budget authority; (b) the determination of the overall level of Federal revenues, and the overall level of the public debt of the United States; (c) the determination of the appropriate level of surplus or deficit in the budget in the light of economic conditions and, (d) the allocation of the overall limitation on budget outlays, and the overall limitation on new budgetary authority. Requires the Committee to report during each regular session of Congress at least two concurrent resolutions concerning matters referred to the Committee and to make continuing studies of the effect on budget outlays of existing and proposed legislation and to report the results of these studies to the House of Representatives. Establishes in the United States Senate a Committee on the Budget consisting of 15 members: 5 members from the Committee on Appropriations, 5 members from the Committee on Finance, and 5 members appointed by the President pro tempore of the Senate. Grants to the Senate Committee the same matters for consideration and the same duties as the House Committee. Declares that annually, on or before May 1, Congress shall complete action on a concurrent resolution setting forth the congressional budget for the United States Government for the fiscal year beginning July 1. States that the concurrent resolution shall include with respect to budget outlays and with respect to new budget authority: (1) a general contingency reserve (for allocation only by a subsequent concurrent resolution on the budget) for possible new legislation (including enlargements of existing programs and activities); and (2) an emergency reserve (in amounts which do not exceed 2 percent of the amount of budget outlays otherwise allocated to the Committees on Appropriations and 2 percent of the amount of new budget authority otherwise allocated to such committees) which shall be available only for allocation by the Committees on Appropriations to specific programs and activities (or to subcommittees) to meet emergencies and other unforeseen contingencies. Provides for other matters which may be dealt with in the concurrent resolution. Sets forth a timetable for the first concurrent resolution on the budget for the fiscal year. Requires Congress to adopt a final concurrent resolution on the budget before adjourning and provides for consideration of concurrent resolution to be expedited. Declares that a tax surcharge is required where the budget deficit will be greater, or the surplus will be smaller, than that determined to be appropriate. States the requirements for amendments to concurrent resolutions. Provides that legislation dealing with the congressional budget must be handled by budget committees and that the concurrent resolution on budget must be adopted before appropriations and changes in revenues and public debt limit are made. Sets forth the requirements for legislation and amendments providing new budget authority, and declares that budget authority legislation may be required to contain outlay limitations. Places limitations on new permanent budget authority and on new spending authority. Requires the legislative committees to authorize the enactment of new budget authority before the beginning of the fiscal year. Authorizes the House Committee on Appropriations and the Senate Committee on Appropriations to consider and to report legislation rescinding budget authority. Provides for technical and conforming amendments to the Rules of the House of Representatives and to the Standing Rules of the United States Senate, as well as amendments to the Legislative Reorganization Act of 1946 and 1970. Title II: Legislative Budget Director and Staff - Establishes a Joint Legislative Budget Staff headed by a Legislative Budget Director appointed by the record vote of a majority of the members of the Committee on the Budget of each House, and provides for staffing and compensation. Authorizes the Legislative Budget Director to secure directly from any executive department or instrumentality of the government, information, data, estimates, and statistics relating to the function of the Joint Legislative Budget Staff. Directs the Joint Legislative Budget Staff to develop methods of using computers and other techniques for the analysis of information to improve not only the quantitative but the qualitative evaluation of budgetary requirements.

93<sup>d</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 7638

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## IN THE HOUSE OF REPRESENTATIVES

MAY 9, 1973

Mr. FLOWERS introduced the following bill; which was referred to the Committee on Rules

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## A BILL

To amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a Legislative Budget Director and Staff, 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       “Budget Control Act of 1973”.

6       (b) **TABLE OF CONTENTS.**—

Sec. 1. Short title; table of contents.

I—O

J. 83-001—A33—1

## TITLE I—CHANGES IN RULES OF HOUSE AND SENATE

### PART 1—ESTABLISHMENT OF HOUSE AND SENATE BUDGET COMMITTEES

Sec. 111. Budget Committee of the House of Representatives.

Sec. 112. Budget Committee of the Senate.

### PART 2—CONGRESSIONAL BUDGET

Sec. 121. Adoption of congressional budget.

Sec. 122. Revision of congressional budget.

Sec. 123. Timetable for first concurrent resolution on the budget for the fiscal year.

Sec. 124. Congress must adopt final concurrent resolution on the budget before adjourning.

Sec. 125. Consideration of concurrent resolutions to be expedited.

### PART 3—TAX SURCHARGE

Sec. 131. Tax surcharge required where budget deficit will be greater, or surplus will be smaller, than that determined to be appropriate.

### PART 4—COMPLIANCE WITH RESPECT TO CONGRESSIONAL BUDGET

Sec. 141. Amendments to concurrent resolutions.

Sec. 142. Legislation dealing with congressional budget must be handled by budget committees.

Sec. 143. Concurrent resolution on budget must be adopted before appropriations, and changes in revenues and public debt limit, are made.

Sec. 144. Requirements for legislation and amendments providing new budget authority.

Sec. 145. Budget authority legislation may be required to contain outlay limitations.

### PART 5—IMPROVEMENTS IN FISCAL PROCEDURES

Sec. 151. Limitations on new permanent budget authority.

Sec. 152. Limitations on new spending authority.

Sec. 153. Requirement of authorizations by legislative committees before beginning of fiscal year.

Sec. 154. Jurisdiction to consider and report legislation rescinding budget authority.

### PART 6—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 161. Amendments to House Rules.

Sec. 162. Amendments to Standing Rules of the Senate.

Sec. 163. Amendments to Legislative Reorganization Act of 1946.

Sec. 164. Amendments to Legislative Reorganization Act of 1970.

### PART 7—RULEMAKING POWER OF HOUSE AND SENATE; EFFECTIVE DATE

Sec. 171. Rulemaking power of the House and Senate.

Sec. 172. Two-thirds vote required to waive rules or overrule decisions sustaining points of order.

Sec. 173. Effective date.

## TITLE II—LEGISLATIVE BUDGET DIRECTOR AND STAFF

Sec. 201. Legislative Budget Director; staff.

Sec. 202. Additional powers to obtain data.

Sec. 203. Projections of budget outlays.

Sec. 204. Evaluation of budgetary requirements through the use of computers and other techniques.

## 1 TITLE I—CHANGES IN RULES OF HOUSE AND 2 SENATE

### 3 PART 1—ESTABLISHMENT OF HOUSE AND SENATE 4 BUDGET COMMITTEES

#### 5 SEC. 111. BUDGET COMMITTEE OF THE HOUSE OF REP- 6 RESENTATIVES.

7 (a) Clause 1 of Rule X of the Rules of the House of  
8 Representatives is amended by redesignating paragraphs (e)  
9 through (u), inclusive, as paragraphs (f) through (v), re-  
10 spectively, and by inserting after paragraph (d) the follow-  
11 ing new paragraph:

12 “(e) Committee on the Budget, to consist of twenty-  
13 one Members as follows:

14 “(1) seven Members who are members of the Com-  
15 mittee on Appropriations, to be chosen by such com-  
16 mittee;

17 “(2) seven Members who are members of the Com-  
18 mittee on Ways and Means, to be chosen by such com-  
19 mittee; and

20 “(3) seven additional Members to be appointed  
21 by the Speaker of the House.

1 A vacancy in the membership of the committee shall be  
2 filled in the manner in which the original appointment was  
3 made.”

4 (b) Rule X of the Rules of the House of Representa-  
5 tives is amended by adding at the end thereof the following  
6 new clause:

7 “6. (a) The Chairman of the Committee on the Budget  
8 during each even-numbered year shall be selected by the  
9 Committee on the Budget from among the Members who  
10 are members of the Committee on Appropriations; during  
11 each odd-numbered year he shall be selected by the Com-  
12 mittee on the Budget from among the Members who are  
13 members of the Committee on Ways and Means.

14 “(b) The chairmanship of the Committee on the Budget  
15 shall not be taken into account in applying any rule or  
16 policy which prohibits a Member from holding more than  
17 one chairmanship; and membership on the committee shall  
18 not be taken into account in applying any rule or policy  
19 prohibiting a Member from serving on more than one major  
20 committee.

21 “(c) For carrying out the purposes set forth in clause  
22 5 of Rule XI, the Committee on the Budget or any sub-  
23 committee thereof is authorized to sit and act at such times  
24 and places within the United States, whether the House  
25 is in session, has recessed, or has adjourned, to hold such

1 hearings, to require the attendance of such witnesses and  
2 the production of such books or papers or documents or  
3 vouchers by subpoena or otherwise, and to take such testi-  
4 mony and records, as it deems necessary. Subpenas may be  
5 issued over the signature of the chairman of the committee  
6 or of any member of the committee designated by him,  
7 and may be served by any person designated by such chair-  
8 man or member. The chairman of the committee, or any  
9 member thereof, may administer oaths to witnesses.”

10 (c) Rule XI of the Rules of the House of Representa-  
11 tives is amended by redesignating clauses 5 through 33, in-  
12 clusive, as clauses 6 through 34, respectively, and by insert-  
13 ing after clause 4 the following new clause:

14 **“5. Committee on the Budget**

15 “(a) The establishment of an overall limitation on  
16 budget outlays, and an overall limitation on new budget au-  
17 thority, of the United States Government.

18 “(b) The determination of the overall level of Federal  
19 revenues, and the overall level of the public debt of the  
20 United States, to be associated with the budget outlay limita-  
21 tion referred to in paragraph (a).

22 “(c) The determination of the appropriate level of sur-  
23 plus or deficit in the budget in the light of economic condi-  
24 tions and such other factors as may be relevant to that  
25 determination.

1       “(d) The allocation of the overall limitation on budget  
2 outlays, and the overall limitation on new budget authority,  
3 among the committees of the House, and the further sub-  
4 dividing of such allocations by subcommittees or by programs  
5 and activities.

6       “(e) The committee shall have the duty—

7               “(1) to report during each regular session of Con-  
8 gress at least two concurrent resolutions dealing with  
9 the matters specified in paragraphs (a), (b), (c), and  
10 (d), and

11               “(2) to make continuing studies of the effect on  
12 budget outlays of existing and proposed legislation and  
13 to report the results of such studies to the House on a  
14 recurring basis.”

15 **SEC. 112. BUDGET COMMITTEE OF THE SENATE.**

16       “(a) Paragraph 1 of Rule XXV of the Standing Rules of  
17 the Senate is amended by adding at the end thereof the fol-  
18 lowing new subparagraph:

19               “(r) (1) Committee on the Budget, to which committee  
20 shall be referred all proposed legislation, messages, petitions,  
21 memorials, and other matters relating to the following sub-  
22 jects:

23               “(A) The establishment of an overall limitation on  
24 budget outlays, and an overall limitation on new budget  
25 authority, of the United States Government.

26               “(B) The determination of the overall level of Fed-



1       eral revenues, and the overall level of the public debt of  
2       the United States, to be associated with the budget outlay  
3       limitation referred to in clause (A).

4       “(C) The determination of the appropriate level of  
5       surplus or deficit in the budget in the light of economic  
6       conditions and such other factors as may be relevant to  
7       that determination.

8       “(D) The allocation of the overall limitation on  
9       budget outlays, and the overall limitation on new budget  
10      authority, among the committees of the Senate, and the  
11      further subdividing of such allocations by subcommittees  
12      or by programs and activities.

13      “(2) Such committee shall have the duty—

14      “(A) to report during each regular session of Con-  
15      gress at least two concurrent resolutions dealing with the  
16      matters specified in subparagraph (1), and

17      “(B) to make continuing studies of the effect on  
18      budget outlays of existing and proposed legislation and  
19      to report the results of such studies to the Senate on a  
20      recurring basis.”.

21      (b) Rule XXV of the Standing Rules of the Senate is  
22      amended by adding at the end thereof the following new  
23      paragraph:

24      “8. (a) The Committee on the Budget shall consist of  
25      15 members as follows:

1           “(1) five members who are members of the Com-  
2       mittee on Appropriations, to be chosen by such com-  
3       mittee,

4           “(2) five members who are members of the Com-  
5       mittee on Finance, to be chosen by such committee,  
6       and

7           “(3) five additional members, to be appointed by  
8       the President pro tempore of the Senate.

9       A vacancy in the membership of the committee shall be  
10      filled in the manner in which the original appointment was  
11      made.

12       “(b) The chairman of the committee during each even-  
13      numbered year shall be selected by the committee from  
14      among the members who are members of the Committee on  
15      Finance, and during each odd-numbered year shall be se-  
16      lected by the committee from among the members who are  
17      members of the Committee on Appropriations.

18       “(c) Paragraph 6 shall not apply to the Committee on  
19      the Budget, and for purposes of such paragraph, service of  
20      a Senator as a member of the committee, or as chairman  
21      of the committee, shall not be taken into account.”

## 22                   PART 2—CONGRESSIONAL BUDGET

### 23       SEC. 121. ADOPTION OF CONGRESSIONAL BUDGET.

24       (a) ACTION TO BE COMPLETED BY MAY 1.—On or  
25      before May 1 of each year, the Congress shall complete ac-

1 tion on a concurrent resolution setting forth the congressional  
2 budget for the United States Government for the fiscal  
3 year beginning on July 1 of that year.

4 (b) MATTERS REQUIRED TO BE SET FORTH IN CON-  
5 CURRENT RESOLUTION.—The concurrent resolution referred  
6 to in subsection (a) shall set forth, for the fiscal year  
7 concerned—

8 (1) the overall limitation on budget outlays and  
9 the overall limitation on new budget authority,

10 (2) the overall level of Federal revenues, and the  
11 overall level of the public debt of the United States, to  
12 be associated with the overall limitation on budget out-  
13 lays for the fiscal year,

14 (3) the amount of the surplus or the amount of the  
15 deficit in the budget which is appropriate in the light of  
16 economic conditions and such other factors as may be  
17 relevant,

18 (4) the amount of budget outlays, and the amount  
19 of new budget authority, allocated to each committee of  
20 the House and Senate for matters within the jurisdiction  
21 of that committee, and

22 (5) with respect to budget outlays and with re-  
23 spect to new budget authority—

24 (A) a general contingency reserve (for allo-  
25 cation only by a subsequent concurrent resolution

1 on the budget) for possible new legislation (includ-  
2 ing enlargements of existing programs and activi-  
3 ties) ; and

4 (B) an emergency reserve (in amounts which  
5 do not exceed 2 percent of the amount of budget  
6 outlays otherwise allocated to the Committees on  
7 Appropriations and 2 percent of the amount of new  
8 budget authority otherwise allocated to such commit-  
9 tees) which shall be available only for allocation by  
10 the Committees on Appropriations to specific pro-  
11 grams and activities (or to subcommittees) to meet  
12 emergencies and other unforeseen contingencies.

13 The amount allocated under paragraph (4) to any commit-  
14 tee shall be further subdivided in the concurrent resolution  
15 either (A) on the basis of programs and activities within  
16 the jurisdiction of that committee, or (B) among the sub-  
17 committees of that committee.

18 (c) OTHER MATTERS WHICH MAY BE DEALT WITH  
19 IN CONCURRENT RESOLUTION.—The concurrent resolution  
20 referred to in subsection (a) may also—

21 (1) direct that legislation be reported out raising or  
22 lowering the aggregate level of Federal revenues, raising  
23 or lowering the limit on the public debt, or both;

24 (2) provide the extent (if any) to which section

1       145 (relating to requirement that budget authority legis-  
2       lation contain limitations on outlays) shall apply for the  
3       fiscal year;

4           (3) provide limitations with respect to amounts  
5       guaranteed or insured during the fiscal year by the  
6       United States (or with respect to categories of such  
7       amounts) on loans by other persons; and

8           (4) contain such other matters relating to the budget  
9       as may be appropriate to carry out the purposes of this  
10      Act.

11      (d) VIEWS AND RECOMMENDATIONS OF OTHER COM-  
12      MITTEES.—Before March 1 of each year, the Committees on  
13      Appropriations and Ways and Means of the House of Repre-  
14      sentatives shall submit their views and recommendations to  
15      the Committee on the Budget of the House, the Committees  
16      on Appropriations and Finance of the Senate shall submit  
17      their views and recommendations to the Committee on the  
18      Budget of the Senate, and the Joint Economic Committee  
19      and the Joint Committee on Internal Revenue Taxation shall  
20      submit their views and recommendations to the Committees  
21      on the Budget of the House and Senate, with respect to all  
22      matters set forth in subsection (b) which relate to matters  
23      within the respective jurisdictions or functions of such com-  
24      mittees and joint committees.

1       (e) EFFECT OF FAILURE TO ADOPT CONCURRENT  
2 RESOLUTION BY MAY 1.—

3           (1) FIGURES IN PRESIDENT'S BUDGET TO BE  
4 USED.—If the Congress fails to complete action on the  
5 concurrent resolution on the budget referred to in sub-  
6 section (a) on or before May 1 of any year, then, until  
7 such action is completed, the figures for the matters set  
8 forth in subsection (b) for the fiscal year shall be deemed  
9 to be the respective figures therefor (as determined by  
10 the Legislative Budget Director) set forth in the budget  
11 submitted for the fiscal year pursuant to section 201 of  
12 the Budget and Accounting Act, 1921 (31 U.S.C. 11).

13           (2) USE OF BUDGET FIGURES FOR APPROPRIA-  
14 TION BILLS AND OTHER PURPOSES.—For any period for  
15 which paragraph (1) applies, in applying sections 122,  
16 143, and 144, there shall be deemed to have been  
17 adopted a concurrent resolution on the budget referred  
18 to in this section which contains the figures referred to  
19 in paragraph (1).

20 **SEC. 122. REVISION OF CONGRESSIONAL BUDGET.**

21       Before the close of each session of Congress, the Congress  
22 shall complete action on a concurrent resolution which reaf-  
23 firms or revises the congressional budget for the United States  
24 Government adopted pursuant to section 121 for the fiscal  
25 year in which the close of such session falls.

1 **SEC. 123. TIMETABLE FOR FIRST CONCURRENT RESOLU-**  
 2 **TION ON THE BUDGET FOR THE FISCAL YEAR.**

3 (a) **TIMETABLE.**—The timetable with respect to the  
 4 concurrent resolution for any fiscal year referred to in section  
 5 121 shall be as follows:

On or before—	Action on concurrent resolution to be completed—
March 1.....	House committee reports.
March 15.....	House acts.
March 29.....	Senate committee reports.
April 12.....	Senate acts.
May 1.....	Congress acts.

6 (b) **EFFECT OF CERTAIN ADJOURNMENTS.**—When-  
 7 ever after any March 15 the Senate is not in session because  
 8 of any adjournment or recess of more than 3 days to a  
 9 day certain, then in applying subsection (a) there shall be  
 10 substituted for March 29 and April 12 that date which fol-  
 11 lows March 29 or April 12 by the same number of days (not  
 12 exceeding 7 in the aggregate) as the number of days after  
 13 March 15 and before March 30, or after March 15 and be-  
 14 fore April 13, as the case may be, on which the Senate was  
 15 not in session because of any such adjournment or recess.

16 (c) **EXTENSION WHERE SPECIFIED DATE FALLS ON**  
 17 **SATURDAY, SUNDAY, OR HOLIDAY.**—When any date speci-  
 18 fied in subsection (a) (as modified by subsection (b)) falls  
 19 on a Saturday, Sunday, or legal holiday in the District of  
 20 Columbia in any year, there shall be substituted for that date

1 the next succeeding date which is not a Saturday, Sunday,  
2 or legal holiday in the District of Columbia.

3 **SEC. 124. CONGRESS MUST ADOPT FINAL CONCURRENT**  
4 **RESOLUTION ON THE BUDGET BEFORE AD-**  
5 **JOURNING.**

6 It shall not be in order in either the House of Repre-  
7 sentatives or the Senate to consider any resolution provid-  
8 ing for the sine die adjournment of any regular session of  
9 the Congress unless the Congress has theretofore during  
10 such session adopted a concurrent resolution on the budget  
11 described in section 122.

12 **SEC. 125. CONSIDERATION OF CONCURRENT RESOLUTIONS**  
13 **TO BE EXPEDITED.**

14 (a) REFERENCE OF RESOLUTIONS TO COMMITTEE.—  
15 All concurrent resolutions on the budget shall be referred to  
16 the Committee on the Budget of the House of Representa-  
17 tives by the Speaker, or shall be referred to the Committee  
18 on the Budget of the Senate by the President of the Senate,  
19 as the case may be.

20 (b) PROCEDURE AFTER REPORT OF COMMITTEE;  
21 DEBATE.—

22 (1) When the Committee on the Budget of the  
23 House or Senate has reported any concurrent resolu-  
24 tion on the budget, it is at any time thereafter in order  
25 (even though a previous motion to the same effect has



1       been disagreed to) to move to proceed to the considera-  
2       tion of the concurrent resolution. The motion is highly  
3       privileged and is not debatable. An amendment to the  
4       motion is not in order, and it is not in order to move to  
5       reconsider the vote by which the motion is agreed to or  
6       disagreed to.

7           (2) Debate on any concurrent resolution on the  
8       budget, and all amendments thereto, shall be limited to  
9       not more than 30 hours, which shall be divided equally  
10      between the majority and minority parties. A motion  
11      further to limit debate is not debatable. A motion to  
12      recommit the concurrent resolution is not in order, and  
13      it is not in order to move to reconsider the vote by which  
14      the concurrent resolution is agreed to or disagreed to.  
15      An amendment to the concurrent resolution shall be in  
16      order only if it meets the requirements of section 141.

17          (3) Debate in either House on the conference re-  
18      port on any concurrent resolution on the budget shall  
19      be limited to not more than 5 hours, which shall be  
20      divided equally between the majority and minority  
21      parties. A motion further to limit debate is not debatable.  
22      A motion to recommit the conference report is not in  
23      order, and it is not in order to move to reconsider the  
24      vote by which the conference report is agreed to or  
25      disagreed to.

1 (c) DECISIONS WITHOUT DEBATE ON MOTION TO  
2 POSTPONE OR PROCEED.—

3 (1) Motions to postpone, made with respect to the  
4 consideration of any concurrent resolution on the budget,  
5 and motions to proceed to the consideration of other busi-  
6 ness, shall be decided without debate.

7 (2) Appeals from the decisions of the Chair re-  
8 lating to the application of the Rules of the House of  
9 Representatives or the Senate, as the case may be, to  
10 the procedure relating to any concurrent resolution on  
11 the budget shall be decided without debate.

12 (d) CONCURRENT RESOLUTION ON THE BUDGET.—For  
13 purposes of this title, the term “concurrent resolution on  
14 the budget” means—

15 (1) a concurrent resolution setting forth the con-  
16 gressional budget for the United States Government for  
17 a fiscal year, as provided in section 121,

18 (2) a concurrent resolution reaffirming or revis-  
19 ing the congressional budget for the United States  
20 Government for a fiscal year, as provided in section  
21 122, and

22 (3) any other concurrent resolution reaffirming or  
23 revising the congressional budget for the United States  
24 Government for a fiscal year.

## PART 3—TAX SURCHARGE

SEC. 131. TAX SURCHARGE REQUIRED WHERE BUDGET  
DEFICIT WILL BE GREATER, OR SURPLUS WILL  
BE SMALLER, THAN THAT DETERMINED TO BE  
APPROPRIATE.

(a) GENERAL RULE.—If—

(1) the Congress has adopted the concurrent resolution on the budget referred to in section 122 for the fiscal year, and

(2) based upon the outlays for the fiscal year set forth in such resolution and the estimate of the aggregate revenues of the United States for the fiscal year set forth in such resolution, the amount of deficit is greater, or the amount of the surplus is smaller, than that set forth in such resolution as the appropriate amount of deficit or surplus,

then it shall not be in order at any time thereafter in the same session of the Congress to consider in either the House of Representatives or Senate any bill or resolution containing new budget authority which was allocated in the concurrent resolution referred to in section 122 for a purpose (but was not allocated for such purpose in the concurrent resolution referred to in section 121) unless such bill or resolution (or

1 a prior bill or resolution enacted after the adoption of the  
2 concurrent resolution referred to in section 122) contains a  
3 separate title, the text of which has been approved by the  
4 Committee on Ways and Means or the Committee on Finance  
5 (as the case may be), which imposes a qualified surtax for  
6 the 12-month period which begins on the January 1 which  
7 occurs during such fiscal year.

8 (b) QUALIFIED SURTAX DEFINED.—For purposes of  
9 this section, the term “qualified surtax” means a tax on the  
10 income of individuals and corporations which—

11 (1) is the same percentage of the taxes imposed by  
12 chapter 1 of the Internal Revenue Code of 1954 for both  
13 individuals and corporations, and

14 (2) will increase the aggregate revenues of the  
15 United States by an amount which, on an approximate  
16 basis, is not less than whichever of the following amounts  
17 is applicable:

18 (A) The amount by which the estimated def-  
19 icit is greater than the appropriate deficit for the  
20 fiscal year.

21 (B) The amount by which the estimated sur-  
22 plus is less than the appropriate surplus for the  
23 fiscal year.

24 (C) If there is an estimated deficit and an

1           appropriate surplus for the fiscal year, the sum of  
2           such estimated deficit and appropriate surplus.

3 For purposes of paragraph (2), the estimated deficit or sur-  
4 plus for a fiscal year shall be based on the outlays and esti-  
5 mate of the aggregate revenues of the United States for the  
6 fiscal year set forth in the concurrent resolution described  
7 in subsection (a) (1), and the appropriate deficit or surplus  
8 is the amount of the deficit or surplus determined to be appro-  
9 priate for the fiscal year in such resolution.

10           (c) SUBSTITUTION OF OTHER REVENUE MEASURES.—

11 If, in the case of a bill or resolution being prepared for con-  
12 sideration in the House of Representatives, the Committee  
13 on Ways and Means determines it to be appropriate, or, if, in  
14 the case of a bill or resolution being prepared for considera-  
15 tion in the Senate, the Committee on Finance determines it  
16 to be appropriate, another tax measure which, for the 12-  
17 month period which begins on the January 1 which occurs  
18 in the fiscal year in question, will raise an amount of revenue  
19 approximately equal to that required to be raised by subsec-  
20 tion (b) (2) shall be treated as a qualified surtax for purposes  
21 of the consideration of that bill or resolution in that House.

22           (d) DE MINIMIS EXCEPTION.—This section shall not  
23 apply if the percentage required to be imposed by sub-  
24 section (b) (1) is less than 1.

1           PART 4—COMPLIANCE WITH RESPECT TO  
2                           CONGRESSIONAL BUDGET

3   SEC. 141. AMENDMENTS TO CONCURRENT RESOLUTIONS.

4       (a) REQUIREMENTS.—During the consideration in  
5 either House of any concurrent resolution on the budget  
6 (within the meaning of section 125 (d) ), an amendment  
7 shall not be in order unless—

8           (1) it increases or decreases specific amounts set  
9 forth in the concurrent resolution,

10          (2) it is consistent, and

11          (3) it meets the requirements of subsections (e)  
12 and (f).

13       (b) CONSISTENCY REQUIREMENT FOR AMENDMENT  
14 INCREASING BUDGET OUTLAYS.—For purposes of subsec-  
15 tion (a), an amendment increasing the amount of any  
16 budget outlay shall be deemed to be consistent only if—

17           (1) it provides for a decrease in specific amounts  
18 set forth in the concurrent resolution for one or more  
19 other items of budget outlay arising out of new budget  
20 authority for the fiscal year, and

21           (2) to the extent the increase is not fully offset  
22 under paragraph (1), it provides for an increase in  
23 the ceiling on budget outlays.

24       (c) CONSISTENCY REQUIREMENT FOR AMENDMENT  
25 INCREASING NEW BUDGET AUTHORITY.—For purposes of

1 subsection (a), an amount increasing the amount of any new  
2 budget authority shall be deemed to be consistent only if—

3 (1) it provides for a decrease in specific amounts  
4 set forth in the concurrent resolution for one or more  
5 other items of new budget authority,

6 (2) to the extent it involves an increase in the  
7 amount of any budget outlay, it provides for a decrease  
8 in specific amounts set forth in the concurrent resolution  
9 for one or more other items of budget outlay arising out  
10 of other new budget authority for the fiscal year, and

11 (3) to the extent any increase is not fully offset  
12 under paragraph (1) or (2), as the case may be, it pro-  
13 vides for an increase in the ceiling on new budget author-  
14 ity, or an increase in the ceiling on budget outlays, as  
15 the case may be.

16 (d) CONSISTENCY REQUIREMENT FOR AMENDMENTS  
17 DECREASING CEILINGS OR AMOUNTS.—For purposes of sub-  
18 section (a) —

19 (1) an amendment decreasing the ceiling on new  
20 budget authority or budget outlays, or both, shall be  
21 deemed consistent only if it also makes decreases in one  
22 or more allocations of new budget authority or budget  
23 outlays, as the case may be, in an equal amount, and

24 (2) an amendment decreasing any allocation of  
25 new budget authority or budget outlays shall be deemed

1 consistent only if it also decreases the ceiling on new  
 2 budget authority or budget outlays, as the case may be, in  
 3 an equal amount.

4 (e) REQUIREMENT OF ADVANCE PRINTING AND  
 5 ANALYSIS.—An amendment meets the requirements of this  
 6 subsection only if, at least one day before the floor considera-  
 7 tion of such amendment, there has been printed in the Con-  
 8 gressional Record—

9 (1) the text of such amendment, and

10 (2) an analysis prepared by the Legislative Budget  
 11 Director which sets forth the effect (if any) which such  
 12 amendment would have on both budget outlays and new  
 13 budget authority.

14 (f) AMENDMENT PROPOSING INCREASE IN CEILING  
 15 ON BUDGET OUTLAYS MUST ALSO PROPOSE INCREASE IN  
 16 REVENUES OR IN PUBLIC DEBT.—For purposes of this  
 17 section, whenever any amendment proposes an increase in  
 18 the ceiling on budget outlays, there shall also be proposed an  
 19 amendment proposing a corresponding increase in the over-  
 20 all level of revenues or in the public debt limit, or a combina-  
 21 tion thereof.

22 (g) SERIES OF AMENDMENTS TO BE VOTED ON EN  
 23 BLOC.—For purposes of this section, all amendments con-  
 24 tained in a series of amendments shall be treated as a single  
 25 amendment and shall be voted on en bloc.



1 **SEC. 142. LEGISLATION DEALING WITH CONGRESSIONAL**  
 2 **BUDGET MUST BE HANDLED BY BUDGET**  
 3 **COMMITTEES.**

4 No bill or resolution, and no amendment to any bill or  
 5 resolution, dealing with any matter which is within the  
 6 jurisdiction of the Committee on the Budget of either House  
 7 shall be considered in that House unless it is a concurrent  
 8 resolution on the budget (within the meaning of section 125  
 9 (d)) which has been reported by the Committee on the  
 10 Budget of that House (or from the consideration of which  
 11 such committee has been discharged) or unless it is an amend-  
 12 ment to such a concurrent resolution.

13 **SEC. 143. CONCURRENT RESOLUTION ON BUDGET MUST**  
 14 **BE ADOPTED BEFORE APPROPRIATIONS, AND**  
 15 **CHANGES IN REVENUES AND PUBLIC DEBT**  
 16 **LIMIT, ARE MADE.**

17 It shall not be in order in either the House of Repre-  
 18 sentatives or the Senate to consider any bill or resolution  
 19 (or amendment thereto) which provides—

- 20 (1) new budget authority for a fiscal year,
- 21 (2) an increase or decrease in revenues to become  
 22 effective during a fiscal year, or
- 23 (3) an increase or decrease in the public debt limit  
 24 to become effective during a fiscal year,

1 until the concurrent resolution for such year referred to in  
2 section 121 has been adopted by the Congress.

3 **SEC. 144. REQUIREMENTS FOR LEGISLATION AND AMEND-**  
4 **MENTS PROVIDING NEW BUDGET AUTHORITY.**

5 (a) **BUDGET AUTHORITY AND OUTLAYS IN EXCESS**  
6 **OF LIMITATIONS SUBJECT TO POINT OF ORDER.**—It shall  
7 not be in order in either the House of Representatives or  
8 the Senate to consider any bill, resolution, or amendment  
9 providing new budget authority for any fiscal year if the  
10 new budget authority so provided, or the outlays resulting  
11 therefrom, would cause any limitation, effective under the  
12 concurrent resolution on the budget for the fiscal year most  
13 recently adopted, to be exceeded.

14 (b) **COMMITTEE REPORTS MUST CONTAIN STATE-**  
15 **MENTS.**—The committee report accompanying each bill or  
16 resolution providing new budget authority or limiting out-  
17 lays for any fiscal year shall contain—

18 (1) a statement that the new budget authority pro-  
19 vided by the bill or resolution as reported, and the out-  
20 lays resulting therefrom, or the outlays authorized by  
21 the bill or resolution as reported, would not cause any  
22 limitation, effective under the concurrent resolution on  
23 the budget for the fiscal year most recently adopted,  
24 to be exceeded, and

1           (2) a statement indicating whether or not the Leg-  
2       islative Budget Director agrees with the statement made  
3       pursuant to paragraph (1).

4       It shall not be in order to consider in either       House of  
5       Representatives or the Senate any bill or resolution if the  
6       committee report accompanying such bill or resolution does  
7       not comply with this subsection.

8       (c) FLOOR AMENDMENTS MUST BE PRINTED AND  
9       ANALYZED IN ADVANCE.—It shall not be in order in either  
10      the House of Representatives or the Senate to consider any  
11      amendment providing new budget authority or increasing  
12      outlays, unless, at least one day before such amendment is  
13      proposed, there is printed in the Congressional Record—

14           (1) the text of such amendment, and

15           (2) a statement prepared by the Legislative Budget  
16      Director indicating whether the new budget authority  
17      provided by the amendment, or the outlays resulting  
18      therefrom, or the increased outlays, would cause any lim-  
19      itation, effective under the concurrent resolution on the  
20      budget for the fiscal year most recently adopted, to be  
21      exceeded.

22      (d) ORDER OF VOTING ON AMENDMENTS TO BILLS  
23      PROVIDING NEW BUDGET AUTHORITY OR LIMITING OUT-  
24      LAYS.—

1       (1) HOUSE.—Each bill or resolution (other than a  
2       concurrent resolution on the budget) which provides new  
3       budget authority or limits outlays, or both, for any fiscal  
4       year which is being considered in the House of Repre-  
5       sentatives shall, after general debate, be read for amend-  
6       ment; but no amendment shall be debated or voted on  
7       until the bill or resolution has been completely read and  
8       all amendments have been offered. Then, amendments  
9       decreasing new budget authority or outlays, or both, shall  
10      be considered first, and shall be followed by amendments  
11      increasing new budget authority or outlays, or both.

12      (2) SENATE.—During the consideration in the  
13      Senate of any bill or resolution (other than a concurrent  
14      resolution on the budget) providing new budget author-  
15      ity or limiting outlays, or both, for any fiscal year, after  
16      the committee amendments have been disposed of,  
17      amendments decreasing amounts of new budget authority  
18      or outlays, or both, shall have precedence over amend-  
19      ments increasing new budget authority or outlays, or  
20      both.

21      (e) LEGISLATION LIMITING OUTLAYS.—Subsections  
22      (b), (c), and (d) shall apply to bills and resolutions limit-  
23      ing outlays, and amendments thereto increasing outlays, for  
24      a fiscal year only to the extent that any requirement referred

1 to in section 145 (a) requires such bill or resolution to  
2 specify the amount of outlays which may be made during  
3 such fiscal year.

4 **SEC. 145. BUDGET AUTHORITY LEGISLATION MAY BE**  
5 **REQUIRED TO CONTAIN OUTLAY LIMITATIONS.**

6 (a) **ACTION BY BUDGET COMMITTEES.**—Whenever the  
7 concurrent resolution on the budget referred to in section  
8 121 for a fiscal year so requires (and to the extent provided  
9 in such concurrent resolution) —

10 (1) bills and resolutions providing new budget au-  
11 thority for that fiscal year reported in each House  
12 shall also specify the amount of outlays which may be  
13 made during that fiscal year (both pursuant to the new  
14 budget authority provided by the bill or resolution and  
15 to any other available budget authority) for the pur-  
16 poses for which the new budget authority is provided,

17 (2) legislation shall be reported in each House for  
18 that fiscal year specifying the amount of outlays which  
19 may be made during that fiscal year under permanent  
20 budget authority or budget authority of indefinite du-  
21 ration, and

22 (3) amendments proposed in each House to bills  
23 or resolutions providing new budget authority for that  
24 fiscal year which increase or decrease the amount of any

1 budget authority shall also specify the amount of out-  
 2 lays which may be made during that fiscal year pursu-  
 3 ant to the budget authority as so increased or decreased.

4 (b) **LEGISLATION FAILING TO COMPLY SUBJECT TO**  
 5 **POINT OF ORDER.**—If any requirement referred to in subsec-  
 6 tion (a) applies for a fiscal year, it shall not be in order to  
 7 consider in either House any bill, resolution, or amendment  
 8 which does not comply with such requirement.

9 (c) **LEGISLATION EXCEEDING OUTLAY LIMITATIONS**  
 10 **SUBJECT TO POINT OF ORDER.**—To the extent that any  
 11 requirement referred to in subsection (a) applies to outlays  
 12 for a fiscal year, it shall not be in order to consider in either  
 13 House any bill, resolution, or amendment which would cause  
 14 any limitation (effective under the concurrent resolution for  
 15 the fiscal year most recently adopted) on outlays to which  
 16 such requirement applies to be exceeded.

17 **PART 5—IMPROVEMENTS IN FISCAL PROCEDURES**

18 **SEC. 151. LIMITATIONS ON NEW PERMANENT BUDGET**  
 19 **AUTHORITY.**

20 (a) **GENERAL RULE.**—Beginning with the second ses-  
 21 sion of the 93d Congress, it shall not be in order in either  
 22 House to consider any bill, resolution, or amendment which  
 23 provides new permanent budget authority or new budget  
 24 authority of indefinite duration, unless—

25 (1) in the case of a bill or resolution, such bill or

1 resolution has been reported by the Committee on Ap-  
2 propriations of that House, or

3 (2) in the case of an amendment, such amendment  
4 is proposed by the Committee on Appropriations of that  
5 House.

6 (b) EXCEPTION.—Subsection (a) shall not apply to  
7 any bill, resolution, or amendment to the extent that the  
8 new budget authority involves a trust fund described in  
9 section 152 (b) (3).

10 SEC. 152. LIMITATIONS ON NEW SPENDING AUTHORITY.

11 (a) LEGISLATION SUBJECT TO POINT OF ORDER.—It  
12 shall not be in order in either the House of Representatives  
13 or the Senate to consider any bill or resolution which pro-  
14 vides new spending authority (or any amendment which  
15 provides new spending authority) unless such bill or reso-  
16 lution, or such amendment, also provides that the new spend-  
17 ing authority is to be effective for any fiscal year only to  
18 such extent or in such amounts as are provided for such  
19 fiscal year in appropriation Acts enacted after the enactment  
20 of such bill or resolution.

21 (b) NEW SPENDING AUTHORITY DEFINED.—For pur-  
22 poses of subsection (a) —

23 (1) NEW SPENDING AUTHORITY.—The term “new  
24 spending authority” means spending authority provided  
25 by law enacted after December 31, 1973, including any

1       increase in, or addition to, any spending authority pro-  
2       vided by law in effect on December 31, 1973.

3       (2) SPENDING AUTHORITY.—Except as provided  
4       in paragraph (3), the term “spending authority” means  
5       authority provided by law, whether on a temporary or  
6       permanent basis—

7       (A) to enter into contracts, under which the  
8       United States is obligated to make outlays, which  
9       have not been provided for in advance by appro-  
10      priation Acts,

11      (B) to incur indebtedness, for the repayment  
12      of which the United States is liable (other than in-  
13      debtedness incurred under the Second Liberty Bond  
14      Act), which has not been provided for in advance  
15      by appropriation Acts,

16      (C) to make payments (including loans and  
17      grants), which have not been provided for in ad-  
18      vance by appropriation Acts, to any person or gov-  
19      ernment if, under the provisions of the law contain-  
20      ing such authority, the United States is obligated to  
21      make such payments to persons or governments who  
22      meet the requirements established by such law, and

23      (D) to obligate the United States to make out-  
24      lays by any other means which has not been pro-  
25      vided for in advance by appropriation Acts.



1       (3) EXCEPTION FOR CERTAIN TRUST FUNDS.—

2       The term "spending authority" does not include any  
3       authority described in paragraph (2) to the extent that  
4       the budget authority made available for obligations, and  
5       outlays resulting therefrom, incurred under the law con-  
6       taining such authority is derived from a trust fund con-  
7       sisting of amounts equivalent to amounts of taxes (re-  
8       lated to the purposes for which such outlays are made)  
9       received in the Treasury under specified provisions of  
10      the Internal Revenue Code of 1954.

11   SEC. 153. REQUIREMENT OF AUTHORIZATIONS BY LEGIS-  
12   LATIVE COMMITTEES BEFORE BEGINNING OF  
13   FISCAL YEAR.

14   (a) LEGISLATION SUBJECT TO POINT OF ORDER.—Ex-  
15   cept as provided in subsection (b), it shall not be in order  
16   to consider any bill or resolution (or conference report there-  
17   on) authorizing the enactment of new budget authority for  
18   any fiscal year after such fiscal year has begun.

19   (b) EMERGENCY WAIVER.—

20   (1) HOUSE.—If the Committee on Rules of the  
21   House of Representatives determines that emergency  
22   conditions require a waiver of subsection (a) with re-  
23   spect to any bill, resolution, or conference report, such  
24   committee may report out, and the House may consider  
25   and adopt, a resolution waiving the application of sub-

1 section (a) in the case of such bill, resolution, or con-  
2 ference report.

3 (2) SENATE.—If the policy committee of the ma-  
4 jority party in the Senate determines that emergency  
5 conditions require a waiver of subsection (a) with  
6 respect to any bill, resolution, or conference report, it  
7 shall be in order for the Senate to consider and adopt  
8 a resolution, introduced on behalf of such committee,  
9 waiving the application of subsection (a) in the case  
10 of such bill, resolution, or conference report.

11 **SEC. 154. JURISDICTION TO CONSIDER AND REPORT LEG-**  
12 **ISLATION RESCINDING BUDGET AUTHORITY.**

13 (a) AMENDMENT OF HOUSE RULES.—Paragraph (a)  
14 of clause 2 of Rule XI of the Rules of the House of Repre-  
15 sentatives is amended by inserting immediately before the  
16 period at the end thereof “and the rescission of appropria-  
17 tions”.

18 (b) AMENDMENT OF SENATE RULES.—Subparagraph  
19 (c) of paragraph 1 of Rule XXV of the Standing Rules of  
20 the Senate is amended by inserting immediately before the  
21 period at the end thereof “and the rescission of appropria-  
22 tions”.

23 **PART 6—TECHNICAL AND CONFORMING AMENDMENTS**

24 **SEC. 161. AMENDMENTS TO HOUSE RULES.**

25 (a) Clause 1 of Rule X of the Rules of the House of

1 Representatives is amended by striking out "There shall be  
2 elected by the House," and inserting in lieu thereof "Except  
3 as otherwise provided by paragraph (e) of this clause, there  
4 shall be elected by the House."

5 (b) Clause 4 of Rule X of the Rules of the House of  
6 Representatives is amended by adding at the end thereof the  
7 following new sentence: "This clause shall not apply to the  
8 Committee on the Budget."

9 (c) Clause 5 of Rule X of the Rules of the House of  
10 Representatives is amended by inserting "(other than the  
11 Committee on the Budget)" immediately after "vacancies  
12 in standing committees in the House".

13 (d) Rule XI of the Rules of the House of Representa-  
14 tives is amended by inserting immediately below clause 21  
15 thereof the following new clause:

16 "21A. The respective areas of legislative jurisdiction  
17 under this rule are modified by title I of the Budget Control  
18 Act of 1973."

19 (e) Subparagraph (6) of paragraph (f) of clause 27  
20 of Rule XI of the Rules of the House of Representatives is  
21 amended by inserting immediately before the period at the  
22 end thereof the following: "or to hearings by the Committee  
23 on the Budget on the congressional budget, matters listed  
24 in this rule under such committee, or the operation of the  
25 Budget Control Act of 1973".

1 (f) Paragraph (g) of clause 27 of Rule XI of the Rules  
 2 of the House of Representatives is amended by adding at  
 3 the end thereof the following new subparagraph:

4 “(5) The preceding provisions of this paragraph con-  
 5 cerning hearings on the budget by the Committee on Ap-  
 6 propriations shall have similar application, insofar as rele-  
 7 vant and practicable, to hearings of the Committee on the  
 8 Budget described in paragraph (f) (6) of this clause.”

9 (g) Paragraph (c) of clause 28 of Rule XI of the  
 10 Rules of the House of Representatives is amended by insert-  
 11 ing “the Committee on the Budget,” immediately after  
 12 “the Committee on Appropriations.”

13 (h) Subparagraph (5) of paragraph (a) of clause 29  
 14 of Rule XI of the Rules of the House of Representatives is  
 15 amended by inserting “and the Committee on the Budget”  
 16 immediately before the period at the end thereof.

17 (i) Subparagraph (4) of paragraph (b) of clause 29  
 18 of Rule XI of the Rules of the House of Representatives is  
 19 amended by inserting “and the Committee on the Budget”  
 20 immediately before the period at the end thereof.

21 (j) Clause 31 of Rule XI of the Rules of the House  
 22 of Representatives is amended by inserting “the Committee  
 23 on the Budget,” immediately after “the Committee on Ap-  
 24 propriations,”

25 (k) Paragraph (a) of clause 32 of Rule XI of the Rules

1 of the House of Representatives is amended by inserting  
2 "and the Committee on the Budget" immediately after "the  
3 Committee on Appropriations".

4 SEC. 162. AMENDMENTS TO STANDING RULES OF THE  
5 SENATE.

6 (a) Rule XXIV of the Standing Rules of the Senate  
7 is amended by adding at the end thereof the following new  
8 paragraph:

9 "3. Paragraph 1 shall not apply to the Committee on  
10 the Budget."

11 (b) Paragraph 1 of Rule XXV of the Standing Rules of  
12 the Senate is amended—

13 (1) by inserting after "Government" in subpara-  
14 graph (c) ", except as provided in subparagraph (r)  
15 (1),";

16 (2) by striking out "Revenue" in subparagraph  
17 (h) 1 and inserting in lieu thereof "Except as provided  
18 in subparagraph (r) (1), revenue";

19 (3) by striking out "The" in subparagraph (h) 2  
20 and inserting in lieu thereof "Except as provided in sub-  
21 paragraph (r) (1), the"; and

22 (4) by striking out "Budget" in subparagraph (j)  
23 (1) (A) and inserting in lieu thereof "Except as pro-  
24 vided in subparagraph (r) (1), budget".

1 SEC. 163. AMENDMENTS TO LEGISLATIVE REORGANIZA-  
2 TION ACT OF 1946.

3 (a) Section 133 of the Legislative Reorganization Act  
4 of 1946 (2 U.S.C. 190a) is amended—

5 (1) by inserting “and the Committee on the Budget”  
6 after “Appropriations” in subsections (d) and (f), and

7 (2) by inserting “or the Committee on the Budget”  
8 after “Appropriations” in subsection (h).

9 (b) Section 133A of such Act (2 U.S.C. 190a-1) is  
10 amended by inserting “and the Committee on the Budget”  
11 after “Appropriations” each place it appears in such section.

12 (c) Section 134 (c) of such Act (2 U.S.C. 190b) is  
13 amended by inserting “or the Committee on the Budget”  
14 after “Appropriations”.

15 (d) Section 136 (c) of such Act (2 U.S.C. 190c) is  
16 amended by striking out “Committee on Appropriations of  
17 the Senate and the Committees on Appropriations,” and in-  
18 serting in lieu thereof “Committees on Appropriations and  
19 the Budget of the Senate and the Committees on Appropria-  
20 tions, the Budget,”.

21 (e) Section 202 of such Act (2 U.S.C. 72a) is amended  
22 by adding at the end thereof the following new subsection:

23 “(k) The preceding subsections of this section shall not  
24 apply to the Committees on the Budget of the House of  
25 Representatives and the Senate.”

1 SEC. 164. AMENDMENTS TO LEGISLATIVE REORGANIZA-  
2 TION ACT OF 1970.

3 (a) Section 232 of the Legislative Reorganization Act  
4 of 1970 (31 U.S.C. 1172) is amended by renumbering para-  
5 graphs (2) and (3) as (3) and (4), respectively, and by  
6 inserting after paragraph (1) the following new paragraph:

7 “(2) the Committees on the Budget of the House  
8 and Senate,”.

9 (b) Section 236 of such Act (31 U.S.C. 1176) is  
10 amended by inserting “and the Budget” after “Appropri-  
11 tions” in paragraph (2).

12 (c) Section 242 (a) of such Act (2 U.S.C. 190h) is  
13 amended by inserting “or the Committee on the Budget”  
14 after “Appropriations”.

15 (d) Section 243 of such Act (2 U.S.C. 190i) is  
16 amended by inserting “(a)” immediately after “243” and  
17 by adding at the end thereof the following new subsection:

18 “(b) The provisions of subsection (a) shall also apply  
19 to the Committee on the Budget of the Senate.”

20 PART 7—RULEMAKING POWER OF HOUSE AND SENATE;

21 EFFECTIVE DATE

22 SEC. 171. RULEMAKING POWER OF THE HOUSE AND  
23 SENATE.

24 The provisions of this title are enacted by the Congress:

25 (1) As an exercise of the rulemaking power of the

1 House of Representatives and the Senate, respectively,  
2 and as such they shall be considered as part of the rules  
3 of each House, respectively, or of that House to which  
4 they specifically apply; and such rules shall supersede  
5 other rules only to the extent that they are inconsistent  
6 therewith; and

7 (2) With full recognition of the constitutional right  
8 of either House to change such rules (so far as relating  
9 to the procedure in such House) at any time, in the same  
10 manner and to the same extent as in the case of any  
11 other rule of such House.

12 **SEC. 172. TWO-THIRDS VOTE REQUIRED TO WAIVE RULES**  
13 **OR OVERRULE DECISIONS SUSTAINING POINTS**  
14 **OF ORDER.**

15 (a) **WAIVER OR SUSPENSION OF RULES.**—Any rule  
16 provided in part 2, 3, 4, or 5 (other than section 153) of  
17 this title may be waived or suspended by the House of Rep-  
18 resentatives or the Senate only by a vote of two-thirds of  
19 the Members voting, a quorum being present.

20 (b) **DECISIONS SUSTAINING POINTS OF ORDER.**—If a  
21 point of order is made in either the House of Representa-  
22 tives or the Senate, and sustained by the Presiding Officer  
23 of that House, that any bill, resolution, amendment, motion,  
24 or other matter is not in order by reason of any rule pro-  
25 vided in this title, the decision of the Presiding Officer may



1 be overruled only by a vote of two-thirds of the Members  
2 voting, a quorum being present.

3 **SEC. 173. EFFECTIVE DATE.**

4 Parts 2, 3, and 4 and section 153 of this title shall apply  
5 only with respect to the fiscal year beginning July 1, 1974,  
6 and succeeding fiscal years.

7 **TITLE II—LEGISLATIVE BUDGET DIRECTOR**  
8 **AND STAFF**

9 **SEC. 201. LEGISLATIVE BUDGET DIRECTOR; STAFF.**

10 (a) The Committee on the Budget of the House of  
11 Representatives and the Committee on the Budget of the  
12 Senate shall have a Joint Legislative Budget Staff, headed  
13 by a Legislative Budget Director. The Legislative Budget  
14 Director shall be appointed by the record vote of a majority  
15 of the members of the Committee on the Budget of each  
16 House. He shall be appointed without regard to political  
17 affiliation and solely on the basis of fitness to perform his  
18 duties. He may be removed only by a record vote of a ma-  
19 jority of the members of the Committee on the Budget of  
20 each House. He shall be paid at a per annum gross rate  
21 equal to the rate of basic pay, as in effect from time to time,  
22 for level III of the Executive Schedule of section 5314 of  
23 title 5, United States Code.

24 (b) With the approval of the chairman of the Com-

1 mittee on the Budget of each House, the Legislative Budget  
2 Director may—

3 (1) appoint, without regard to political affiliation  
4 and solely on the basis of fitness to perform their  
5 duties, such professional, technical, clerical, and other  
6 personnel as may be necessary to carry out the purposes  
7 of this Act,

8 (2) prescribe their duties and responsibilities,

9 (3) fix their pay; and

10 (4) terminate their employment.

11 (c) In carrying out its functions under this Act, the  
12 Joint Legislative Budget Staff may utilize the services, in-  
13 formation, facilities, and personnel of the departments and  
14 establishments of the Government, and may procure the  
15 temporary (not to exceed one year) or intermittent serv-  
16 ices of experts or consultants or organizations thereof by  
17 contract as independent contractors, or in the case of indi-  
18 vidual experts or consultants by employment at rates of pay  
19 not in excess of the daily-equivalent of the highest rate of  
20 basic pay set forth in the General Schedule of section 5332  
21 of title 5, United States Code, including payment of such  
22 rates for necessary traveltime.

23 (d) The expenses of the Joint Legislative Budget Staff  
24 shall be paid from the contingent fund of the House of Rep-  
25 resentatives from funds appropriated for such Staff, upon

1 vouchers approved by the chairman of the Committee on  
2 the Budget of either House; and for purposes of pay and  
3 employment benefits, rights, and privileges, the employees  
4 of the Joint Staff shall be deemed to be employees of the  
5 House of Representatives.

6 **SEC. 202. ADDITIONAL POWERS TO OBTAIN DATA.**

7 (a) **SECURING OF DATA.**—The Legislative Budget Di-  
8 rector, with the approval of the chairman of the Committee  
9 on the Budget of the House of Representatives or the Senate,  
10 is authorized to secure directly from any executive depart-  
11 ment, office, board, bureau, agency, independent establish-  
12 ment, or instrumentality of the Government, information,  
13 data, estimates, and statistics relating to the functions of the  
14 Joint Legislative Budget Staff.

15 (b) **FURNISHING OF DATA.**—Executive departments,  
16 offices, boards, bureaus, agencies, independent establishments,  
17 and instrumentalities are authorized and directed to furnish  
18 such information, data, estimates, and statistics directly to  
19 the Legislative Budget Director, upon request made pursuant  
20 to this section.

21 **SEC. 203. PROJECTIONS OF BUDGET OUTLAYS.**

22 The Joint Legislative Budget Staff shall develop for the  
23 Committees on the Budget of the House and Senate in-  
24 formation with respect to existing and proposed legislation  
25 (*whether authorizing or appropriation or similar legislation*)

1 which will form the basis of estimating the effect on budget  
2 outlays of such legislation not only on the current fiscal year  
3 but also for the next three to five fiscal years.

4 **SEC. 204. EVALUATION OF BUDGETARY REQUIREMENTS**  
5 **THROUGH THE USE OF COMPUTERS AND**  
6 **OTHER TECHNIQUES.**

7 The Joint Legislative Budget Staff shall develop methods  
8 of using computers and other techniques for the analysis of  
9 information to improve not only the quantitative but the  
10 qualitative evaluation of budgetary requirements.



93<sup>d</sup> CONGRESS  
1<sup>st</sup> Session

**H. R. 7638**

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## **A BILL**

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To amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a Legislative Budget Director and Staff, and for other purposes.

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By Mr. Flowers

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MAY 9, 1973

Referred to the Committee on Rules