



All Information (Except Text) for H.R.9397 - Budget Control Act

93rd Congress (1973-1974)

Sponsor: [Rep. Bell, Alphonzo \[R-CA-28\]](#) (Introduced 07/19/1973)

Committees: House - Rules

Latest Action: House - 07/19/1973 Referred to House Committee on Rules. ([All Actions](#))

Tracker: Introduced

Full texts of bills are not available on Congress.gov for bills prior to 1989 (101st Congress). Click the check-box to add or remove the section, click the text link to scroll to that section. [Titles Actions Overview](#) [All Actions](#) [Cosponsors](#) [Committees](#) [Related Bills](#) [Subjects](#) [Latest Summary](#) [All Summaries](#)

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 reform the budgetary process of the Congress to improve congressional control over the budget and national priorities, to provide for a legislative budget director and staff, and for other purposes.

Actions Overview (1)

Date	
07/19/1973	Introduced in House

All Actions (2)

Date	
07/19/1973	Referred to House Committee on Rules. Action By: House of Representatives
07/19/1973	Introduced in House Action By: House of Representatives

Cosponsors (9)

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.

Cosponsor	
Rep. Burgener, Clair W. [R-CA-42]	
Rep. Cleveland, James C. [R-NH-2]	
Rep. Hastings, James F. [R-NY-38]	
Rep. Horton, Frank J. [R-NY-36]	
Rep. Ichord, Richard H. [D-MO-8]	
Rep. Parris, Stanford E. (Stan) [R-VA-8]	
Rep. Robinson, J. Kenneth [R-VA-7]	
Rep. Whitehurst, G. William [R-VA-2]	
Rep. Won Pat, Antonio B. [D-GU-At Large]	

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	07/19/1973	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.9397	Relationships Identified by
H.R.8762	Budget Control Act	Identical bill	CRS

Subjects (6)

Subject — Policy Area: Economics and Public Finance	Congressional committees Federal budgets	House of Representatives Senate
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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.9397. [View summaries](#)

Shown Here:
Introduced in House (07/19/1973)

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: 5 members from the Committee on Appropriations, 5 members from the Committee on Ways and Means, and 11 members who are members of other Committees. Provides for the selection of the chairman of the Committee.

Refers to the Committee matters relating to: (1) the establishment of an overall limitation on budget outlays, and an overall limitation on new budget authority; (2) the determination of the overall level of Federal revenues, and the overall level of the public debt of the United States; (3) the determination of the appropriate level of surplus or deficit in the budget in the light of economic conditions and; (4) 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 17 members: 4 members from the Committee on Appropriations, 4 members from the Committee on Finance, and 9 members who are members of other Committees. Grants to the Senate Committee the same matters for consideration and the same duties as the House Committee.

Declares that annually, on or before July 1, Congress shall complete action on a concurrent resolution setting forth the congressional budget for the United States Government for the fiscal year beginning January 1 of the next year.

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.

93D CONGRESS
1ST SESSION

H. R. 9397

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1973

Mr. BELL (for himself, Mr. BURGNER, Mr. CLEVELAND, Mr. HASTINGS, Mr. HORTON, Mr. ICHORD, Mr. PARRIS, Mr. ROBINSON of Virginia, Mr. WHITEHURST, and Mr. WON PAT) introduced the following bill; which was referred to the Committee on Rules

A BILL

To reform the budgetary process of the Congress to improve congressional control over the budget and national priorities, 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.

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. Fiscal year to coincide with the calendar year.
- Sec. 122. Adoption of congressional budget.
- Sec. 123. Revision of congressional budget.
- Sec. 124. Timetable for first concurrent resolution on the budget for the fiscal year.
- Sec. 125. Congress must adopt final concurrent resolution on the budget before adjourning.
- Sec. 126. 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. Duties of the joint legislative budget staff.

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 REPRESENTATIVES.

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) five Members who are members of the Com-
15 mittee on Appropriations;

16 “(2) five Members who are members of the Com-
17 mittee on Ways and Means; and

18 “(3) eleven Members who are members of com-
19 mittees other than the Committees on Appropriations
20 and Ways and Means, provided that of such eleven
21 Members, no one Member may have common member-
22 ship in any other House committee with any other

1 Member, unless such other Member is of a different
2 political party.

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

6 "6. (a) The Chairman of the Committee on the Budget
7 during each even-numbered year shall be elected by the
8 House from among the Members who are members of
9 the Committee on Appropriations or the Committee on
10 Ways and Means; during each odd-numbered year he shall
11 be elected by the House from among the Members who
12 are members of the other committees.

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

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

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

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

13 **"5. Committee on the Budget**

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

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

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

25 "(d) The allocation of the overall limitation on budget

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

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

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

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

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

15 (a) Paragraph 1 of rule XXV of the Standing Rules
16 of the Senate is amended by adding at the end thereof the
17 following new subparagraph:

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

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

25 “(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 out-
3 lay 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 seventeen members as follows:

1 “(1) four Members who are members of the Com-
2 mittee on Appropriations,

3 “(2) four Members who are members of the Com-
4 mittee on Finance, and

5 “(3) nine Members who are members of committees
6 other than the Committees on Appropriations and Fi-
7 nance, provided that no one Member may have common
8 membership in any other Senate committee with any
9 other Member, unless such other member is of a dif-
10 ferent political party.

11 “(b) The chairman of the committee during each even-
12 numbered year shall be elected by the Senate from among
13 the members who are members of the Committee on Finance
14 or the Committee on Appropriations; and during each odd-
15 numbered year shall be elected by the Senate from among
16 the members who are members of the other committees.

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

21 PART 2—CONGRESSIONAL BUDGET

22 **SEC. 121. FISCAL YEAR TO COINCIDE WITH CALENDAR**
23 **YEAR.**

24 “(a) Effective January 1, 1975, the fiscal year of all
25 departments, agencies, and instrumentalities of the Federal
26 Government shall be the calendar year.

1 (b) The Director of the Office of Management and
2 Budget, in consultation with the Comptroller General of the
3 United States, is authorized and directed to make provision
4 by regulation, order, or otherwise for the orderly transition
5 by all departments, agencies, and instrumentalities of the
6 Federal Government from the use of the fiscal year in effect
7 on the date of enactment of this Act to the use of the fiscal
8 year prescribed by subsection (a) of this section.

9 (c) The fiscal year commencing July 1, 1974, shall end
10 on December 31, 1974. For such fiscal year there are appro-
11 priated, out of any money in the Treasury not otherwise
12 appropriated, for any projects or activities conducted in the
13 fiscal year ending June 30, 1974, for which authority to
14 conduct such project or activity did not expire prior to
15 June 30, 1974, an amount equal to 50 percent of the amount
16 appropriated for such project or activity for such fiscal year
17 ending June 30, 1974. Appropriations made under this
18 section shall be available to the extent and in the manner
19 appropriations were made available for that project or activ-
20 ity during the fiscal year ending June 30, 1974.

21 **SEC. 122. ADOPTION OF CONGRESSIONAL BUDGET.**

22 (a) ACTION TO BE COMPLETED BY JULY 1.—On or
23 before July 1 of each year, the Congress shall complete ac-
24 tion on a concurrent resolution setting forth the congressional

1 budget for the United States Government for the fiscal
2 year beginning on January 1 of the next year.

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

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

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

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

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

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

23 (A) a general contingency reserve (for allo-
24 cation only by a subsequent concurrent resolution
25 on the budget) for possible new legislation (incend-

1 ing enlargements of existing programs and activi-
2 ties) ; and

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

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
25 145 (relating to requirement that budget authority legis-

1 lation contain limitations on outlays) shall apply for the
2 fiscal year;

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

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

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

1 (e) EFFECT OF FAILURE TO ADOPT CONCURRENT
2 RESOLUTION BY JULY 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 July 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 123,
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. 123. REVISION OF CONGRFSSIONAL 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

1 Government adopted pursuant to section 122 for the fiscal
2 year in which the close of such session falls.

3 **SEC. 124. TIMETABLE FOR FIRST CONCURRENT RESOLU-**
4 **TION ON THE BUDGET FOR THE FISCAL YEAR.**

5 (a) **TIMETABLE.**—The timetable with respect to the
6 concurrent resolution for any fiscal year referred to in section
7 122 shall be as follows:

On or before	Action on concurrent resolution to be completed—
April 1.....	House committee reports.
May 6.....	House acts.
May 13.....	Senate committee reports.
June 17.....	Senate acts.
July 1.....	Congress acts.

8 (b) **EFFECT OF CERTAIN ADJOURNMENTS.**—When-
9 ever during the period April 1 through May 6 the House is
10 not in session, or during the period May 7 through June 17
11 the Senate is not in session, because of an adjournment or
12 recess of more than three days to a day certain, then in
13 applying subsection (a), the timetable therein shall be ad-
14 justed accordingly to compensate for such recess or adjourn-
15 ment, provided that no adjustment in the timetable shall
16 exceed seven calendar days.

17 (c) **EXTENSION WHERE SPECIFIED DATE FALLS ON**
18 **SATURDAY, SUNDAY, OR HOLIDAY.**—When any date speci-
19 fied in subsection (a) (as modified by subsection (b)) falls
20 on a Saturday, Sunday, or legal holiday in the District of
21 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. 125. 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 123.

12 **SEC. 126. 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) Any concurrent resolution on the budget re-
23 ported by the Committee on the Budget of the House
24 or Senate shall not be considered until the eleventh
25 calendar day (excluding Saturdays, Sundays, and legal

1 holidays) on which the report on such resolution has
2 been available to the Members of the Chamber to which
3 the report was made. It is at any time thereafter in
4 order (even though a previous motion to the same effect
5 has been disagreed to) to move to proceed to the con-
6 sideration of the concurrent resolution. The motion is
7 highly privileged and is not debatable. An amendment
8 to the motion is not in order, and it is not in order to
9 move to reconsider the vote by which the motion is
10 agreed to or disagreed to.

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

21 (3) Debate in either House on the conference re-
22 port on any concurrent resolution on the budget shall
23 not be limited to fewer than 5 hours, which shall be
24 divided equally between the majority and minority
25 parties. A motion further to limit debate is not debatable.

1 A motion to recommit the conference report is not in
2 order, and it is not in order to move to reconsider the
3 vote by which the conference report is agreed to or
4 disagreed to.

5 (c) DECISIONS WITHOUT DEBATE ON MOTION TO
6 POSTPONE OR PROCEED.—

7 (1) Motions to postpone, made with respect to the
8 consideration of any concurrent resolution on the budget,
9 and motions to proceed to the consideration of other busi-
10 ness, shall be decided without debate.

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

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

19 (1) a concurrent resolution setting forth the con-
20 gressional budget for the United States Government for
21 a fiscal year, as provided in section 122,

22 (2) a concurrent resolution reaffirming or revis-
23 ing the congressional budget for the United States
24 Government for a fiscal year, as provided in section
25 123, and

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

4 PART 3—TAX SURCHARGE

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

9 (a) GENERAL RULE.—If—

10 (1) the Congress has adopted the concurrent resolu-
11 tion on the budget referred to in section 123 for the fiscal
12 year, and

13 (2) based upon the outlays for the fiscal year set
14 forth in such resolution and the estimate of the aggre-
15 gate revenues of the United States for the fiscal
16 year set forth in such resolution, the amount of deficit
17 is greater, or the amount of the surplus is smaller, than
18 that set forth in such resolution as the appropriate
19 amount of deficit or surplus,

20 then it shall not be in order at any time thereafter in the same
21 session of the Congress to consider in either the House of Rep-
22 resentatives or Senate any bill or resolution containing new
23 budget authority which was allocated in the concurrent
24 resolution referred to in section 123 for a purpose (but was
25 not allocated for such purpose in the concurrent resolution

1 referred to in section 122) unless such bill or resolution (or
2 a prior bill or resolution enacted after the adoption of the
3 concurrent resolution referred to in section 123) contains a
4 separate title, the text of which has been approved by the
5 Committee on Ways and Means or the Committee on Finance
6 (as the case may be), which imposes a qualified surtax for
7 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 fiscal
17 year in question, will raise an amount of revenue approxi-
18 mately equal to that required to be raised by subsection
19 (b) (2) shall be treated as a qualified surtax for purposes
20 of the consideration of that bill or resolution in that House.

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

PART 4—COMPLIANCE WITH RESPECT TO
CONGRESSIONAL BUDGET

SEC. 141. AMENDMENTS TO CONCURRENT RESOLUTIONS.

(a) REQUIREMENTS.—During the consideration in either House of any concurrent resolution on the budget (within the meaning of section 126(d)), an amendment shall not be in order unless—

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

(2) it is consistent, and

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

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

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

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

1 (c) CONSISTENCY REQUIREMENT FOR AMENDMENT
2 INCREASING NEW BUDGET AUTHORITY.—For purposes of
3 subsection (a), an amount increasing the amount of any new
4 budget authority shall be deemed to be consistent only if—

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

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

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

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

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

1 (2) an amendment decreasing any allocation of
 2 new budget authority or budget outlays shall be deemed
 3 consistent only if it also decreases the ceiling on new
 4 budget authority or budget outlays, as the case may be,
 5 in an equal amount.

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

11 (1) the text of such amendment, and

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

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

24 (g) SERIES OF AMENDMENTS TO BE VOTED ON EN
 25 BLOC.—For purposes of this section, all amendments con-

1 tained in a series of amendments shall be treated as a single
2 amendment and shall be voted on en bloc.

3 **SEC. 142. LEGISLATION DEALING WITH CONGRESSIONAL**
4 **BUDGET MUST BE HANDLED BY BUDGET**
5 **COMMITTEES.**

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

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

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

- 22 (1) new budget authority for a fiscal year,
23 (2) an increase or decrease in revenues to become
24 effective during a fiscal year, or

1 (3) an increase or decrease in the public debt limit
2 to become effective during a fiscal year,
3 until the concurrent resolution for such year referred to in
4 section 121 has been adopted by the Congress.

5 **SEC. 144. REQUIREMENTS FOR LEGISLATION AND AMEND-**
6 **MENTS PROVIDING NEW BUDGET AUTHORITY.**

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

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

20 (1) a statement that the new budget authority pro-
21 vided by the bill or resolution as reported, and the out-
22 lays resulting therefrom, or the outlays authorized by
23 the bill or resolution as reported, would not cause any
24 limitation effective under the concurrent resolution on

1 the budget for the fiscal year most recently adopted,
2 to be exceeded, and

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

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

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

16 (1) the text of such amendment, and

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

24 (d) ORDER OF VOTING ON AMENDMENTS TO BILLS

1 ing outlays, and amendments thereto increasing outlays, for
2 a fiscal year only to the extent that any requirement referred
3 to in section 145 (a) requires such bill or resolution to
4 specify the amount of outlays which may be made during
5 such fiscal year.

6 **SEC. 145. BUDGET AUTHORITY LEGISLATION MAY BE**
7 **REQUIRED TO CONTAIN OUTLAY LIMITATIONS.**

8 (a) **ACTION BY BUDGET COMMITTEES.**—Whenever the
9 concurrent resolution on the budget referred to in section
10 121 for a fiscal year so requires (and to the extent provided
11 in such concurrent resolution) —

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

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

24 (3) amendments proposed in each House to bills

1 or resolutions providing new budget authority for that
2 fiscal year which increase or decrease the amount of any
3 budget authority shall also specify the amount of out-
4 lays which may be made during that fiscal year pursu-
5 ant to the budget authority as so increased or decreased.

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

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

19 **PART 5—IMPROVEMENTS IN FISCAL PROCEDURES**
20 **SEC. 151. LIMITATIONS ON NEW PERMANENT BUDGET**
21 **AUTHORITY.**

22 (a) **GENERAL RULE.**—Beginning with the second ses-
23 sion of the 93d Congress, it shall not be in order in either
24 House to consider any bill, resolution, or amendment which

1 provides new permanent budget authority or new budget
2 authority of indefinite duration, unless—

3 (1) in the case of a bill or resolution, such bill or
4 resolution has been reported by the Committee on Ap-
5 propriations of that House, or

6 (2) in the case of an amendment, such amendment
7 is proposed by the Committee on Appropriations of that
8 House.

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

13 **SEC. 152. LIMITATIONS ON NEW SPENDING AUTHORITY.**

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

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

1 (1) NEW SPENDING AUTHORITY.—The term “new
2 spending authority” means spending authority provided
3 by law enacted after December 31, 1973, including any
4 increase in, or addition to, any spending authority pro-
5 vided by law in effect on December 31, 1973.

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

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

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

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

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

4 (3) EXCEPTION FOR CERTAIN TRUST FUNDS.—

5 The term "spending authority" does not include any
 6 authority described in paragraph (2) to the extent that
 7 the budget authority made available for obligations, and
 8 outlays resulting therefrom, incurred under the law
 9 containing such authority is derived from a trust fund
 10 consisting of amounts equivalent to amounts of taxes
 11 (related to the purposes for which such outlays are
 12 made) received in the Treasury under specified provi-
 13 sions of the Internal Revenue Code of 1954.

14 **SEC. 153. REQUIREMENT OF AUTHORIZATIONS BY LEGIS-**
 15 **LATIVE COMMITTEES BEFORE BEGINNING OF**
 16 **FISCAL YEAR.**

17 (a) **LEGISLATION SUBJECT TO POINT OF ORDER.—**

18 Except as provided in subsection (b), it shall not be in
 19 order to consider any bill or resolution (or conference report
 20 thereon) authorizing the enactment of new budget authority
 21 for any fiscal year after such fiscal year has begun.

22 (b) **EMERGENCY WAIVER.—**

23 (1) **HOUSE.—**If the Committee on Rules of the
 24 House of Representatives determines that emergent
 25 conditions require a waiver of subsection (a) with re-

1 spect to any bill, resolution, or conference report, such
 2 committee may report out, and the House may consider
 3 and adopt, a resolution waiving the application of sub-
 4 section (a) in the case of such bill, resolution, or con-
 5 ference report.

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

14 **SEC. 154. JURISDICTION TO CONSIDER AND REPORT LEG-**
 15 **ISLATION RESCINDING BUDGET AUTHORITY.**

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

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

1 PART 6—TECHNICAL AND CONFORMING AMENDMENTS

2 SEC. 161. AMENDMENTS TO HOUSE RULES.

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

7 (b) Rule XI of the Rules of the House of Representa-
8 tives is amended by inserting immediately below clause 21
9 thereof the following new clause:

10 "21A. The respective areas of legislative jurisdiction
11 under this rule are modified by title I of the Budget Control
12 Act of 1973."

13 (c) Subparagraph (4) of paragraph (d) of clause 27 of
14 Rule XI of the Rules of the House of Representatives is
15 amended by inserting after "the third calendar day" the fol-
16 lowing: "or in the case of a concurrent resolution on the
17 budget reported by the Committee on the Budget, the elev-
18 enth calendar day".

19 (d) 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
6 Appropriations shall have similar application, insofar as
7 relevant and practicable, to hearings of the Committee on
8 the Budget described in paragraph (f) (6) of this clause.”.

9 (g) Paragraph (c) of clause 28 of Rule IX 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
24 Appropriations,”.

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 Paragraph 1 of Rule XXV of the Standing Rules of
 7 the Senate is amended—

8 (1) by inserting after "Government" in subpara-
 9 graph (c) ", except as provided in subparagraph (r)
 10 (1),";

11 (2) by striking out "Revenue" in subparagraph
 12 (h) 1 and inserting in lieu thereof "Except as provided
 13 in subparagraph (r) (1), revenue";

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

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

20 **SEC. 163. AMENDMENTS TO LEGISLATIVE REORGANIZA-**
 21 **TION ACT OF 1946.**

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

24 (1) by inserting "and the Committee on the Budg-
 25 et" after "Appropriations" in subsection (d) ;

26 (2) by inserting "or in the case of a concurrent res-

1 olution on the budget reported by the Committee on the
2 Budget, the eleventh calendar day" after "the third cal-
3 endar day" in the first sentence of subsection (f) ; and

4 (3) by inserting "or the Committee on the Budget"
5 after "Appropriations" in subsection (h) .

6 (b) Section 133A of such Act (2 U.S.C. 190a-1) is
7 amended by inserting "and the Committee on the Budget"
8 after "Appropriations" each place it appears in such section.

9 (c) Section 134 (c) of such Act (2 U.S.C. 190b) is
10 amended by inserting "or the Committee on the Budget"
11 after "Appropriations".

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

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

20 "(k) The preceding subsections of this section shall not
21 apply to the Committees on the Budget of the House of
22 Representatives and the Senate."

23 **SEC. 164. AMENDMENTS TO LEGISLATIVE REORGANIZA-**
24 **TION ACT OF 1970.**

25 (a) Section 232 of the Legislative Reorganization Act
26 of 1970 (31 U.S.C. 1172) is amended by renumbering para-

1 graphs (2) and (3) as (3) and (4), respectively, and by
 2 inserting after paragraph (1) the following new paragraph:

3 “(2) the Committees on the Budget of the House
 4 and Senate,”.

5 (b) Section 236 of such Act (31 U.S.C. 1176) is
 6 amended by inserting “and the Budget” after “Appropriations” in paragraph (2).

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

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

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

16 PART 7—RULEMAKING POWER OF HOUSE AND SENATE;

17 EFFECTIVE DATE

18 SEC. 171. RULEMAKING POWER OF THE HOUSE AND
 19 SENATE.

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

21 (1) As an exercise of the rulemaking power of the
 22 House of Representatives and the Senate, respectively,
 23 and as such they shall be considered as part of the rules
 24 of each House, respectively, or of that House to which
 25 they specifically apply; and such rules shall supersede

1 other rules only to the extent that they are inconsistent
2 therewith; and

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

8 **SEC. 172. TWO-THIRDS VOTE REQUIRED TO WAIVE RULES**
9 **OR OVERRULE DECISIONS SUSTAINING POINTS**
10 **OF ORDER.**

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

16 (b) **DECISIONS SUSTAINING POINTS OF ORDER.**—If a
17 point of order is made in either the House of Representa-
18 tives or the Senate, and sustained by the Presiding Officer
19 of that House, that any bill, resolution, amendment, motion,
20 or other matter is not in order by reason of any rule pro-
21 vided in this title, the decision of the Presiding Officer may
22 be overruled only by a vote of two-thirds of the Members
23 voting, a quorum being present.

24 **SEC. 173. EFFECTIVE DATE.**

25 Parts 2, 3, and 4 and section 153 of this title shall apply

1 only with respect to the fiscal year beginning January 1,
2 1975, and succeeding fiscal years.

3 **TITLE II—LEGISLATIVE BUDGET DIRECTOR**
4 **AND STAFF**

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

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

20 (b) With the approval of the chairman of the Com-
21 mittee on the Budget of each House, the Legislative Budget
22 Director may—

23 (1) appoint, without regard to political affiliation
24 and solely on the basis of fitness to perform their
25 duties, such professional, technical, clerical, and other

1 personnel as may be necessary to carry out the purposes
2 of this Act,

3 (2) prescribe their duties and responsibilities,

4 (3) fix their pay; and

5 (4) terminate their employment.

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

18 (d) The expenses of the Joint Legislative Budget Staff
19 shall be paid from the contingent fund of the House of Rep-
20 resentatives from funds appropriated for such Staff, upon
21 vouchers approved by the chairman of the Committee on
22 the Budget of either House; and for purposes of pay and
23 employment benefits, rights, and privileges, the employees
24 of the Joint Staff shall be deemed to be employees of the
25 House of Representatives.

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

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

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

16 **SEC. 203. DUTIES OF THE JOINT LEGISLATIVE BUDGET**
17 **STAFF.**

18 (a) The Joint Legislative Budget Staff shall—

19 (1) prepare an analysis of the budget, supplemen-
20 tary budget summaries and pertinent legislative pro-
21 posals transmitted by or on behalf of the President to
22 Congress, and shall include in such analysis an evalua-
23 tion of:

24 (A) the accuracy and validity of all figures and
25 projections contained therein;

1 (B) the extent to which proposed expenditures
2 would continue, eliminate, increase, expand, de-
3 crease, restrict, or otherwise affect programs author-
4 ized by the Congress;

5 (C) the likely economic effects of proposed
6 major reductions, terminations, or increases in Fed-
7 eral programs or taxes;

8 (D) the effect of such proposals upon outlays,
9 obligational authorities, and revenues for the current
10 year and the succeeding 5 years; and

11 (E) such other aspects of the budget or pro-
12 posals as the Committee on the Budget of the House
13 or Senate may direct, at its own direction or at the
14 request of any other committee of the House or
15 Senate.

16 (2) prepare an analysis of such alternative reduc-
17 tions, terminations, or increases in Federal programs or
18 taxes other than those outlined in the proposed budget
19 of the United States as the Committee on the Budget of
20 the House or Senate may request, and the likely eco-
21 nomic effects thereof;

22 (3) conduct a continuing review of current and
23 projected economic conditions and estimates of the rela-
24 tionship of such to Government revenues and expendi-
25 tures;

1 (4) conduct a continuing review of the budgetary
2 status of Federal programs, including:

3 (A) amounts authorized to be appropriated for
4 programs and activities;

5 (B) amounts appropriated for programs and
6 activities, amounts of other types of budget au-
7 thority, including contract authority, authority to
8 spend debt receipts, loan authority, and supple-
9 mental budget authority;

10 (C) estimates of projected costs of programs
11 and activities for the current year and the succeeding
12 3 to 5 years;

13 (D) amounts apportioned by the Office of
14 Management and Budget and amounts impounded,
15 administratively withheld, temporarily deferred, or
16 otherwise reserved from obligation;

17 (E) amounts appropriated which have been ob-
18 ligated by Federal departments and agencies, and
19 balances of unobligated appropriations; and

20 (F) relevant reports of the Comptroller Gen-
21 eral, the Office of Management and Budget, and
22 the several agencies and departments.

23 (5) prepare such other analyses or perform such
24 other functions as the Committee on the Budget of the
25 House or Senate may direct, at its own direction or at

1 the request of any other committee of the House or
2 Senate.

3 (b) The Joint Legislative Budget Staff shall develop
4 methods of using computers and other techniques for the
5 analysis of information to improve not only the quantitative
6 but the qualitative evaluation of budgetary requirements.

7 (c) The Joint Legislative Budget Staff shall provide,
8 upon request, the information, analyses, and evaluations pro-
9 vided for in this section to the Members and committees of
10 the Senate and House of Representatives.

93d CONGRESS
1st Session

H. R. 9397

A BILL

To reform the budgetary process of the Congress to improve congressional control over the budget and national priorities, to provide for a Legislative Budget Director and staff, and for other purposes.

By Mr. BELL, Mr. BURGNER, Mr. CLEVELAND,
Mr. HASTINGS, Mr. HORTON, Mr. ICHORD, Mr.
PARRIS, Mr. ROBINSON of Virginia, Mr.
WITTEHURST, and Mr. WON PAT

JULY 19, 1973

Referred to the Committee on Rules