

107TH CONGRESS
2D SESSION

H. R. 4767

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2007.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2002

Mr. TOOMEY introduced the following bill; which was referred to the Committee on the Budget

A BILL

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2007.

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.**

4 This Act may be cited as the “Congressional Act to
5 Prioritize Spending”.

6 **SEC. 2. AMENDMENTS TO SECTIONS 251 AND 275.**

7 (a) **ADJUSTMENTS TO DISCRETIONARY SPENDING**
8 **LIMITS.**—In the matter that precedes subparagraph (A)
9 of section 251(b)(2) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985, strike “through 2002”.

1 (b) DISCRETIONARY SPENDING LIMIT.—Section
2 251(c) of the Balanced Budget and Emergency Deficit
3 Control Act of 1985 is amended as follows:

4 (1) Strike paragraphs (1) through (5) and re-
5 designate paragraph (6) (which relates to fiscal year
6 2002) as paragraph (1).

7 (2) Redesignate paragraph (7) (which relates to
8 fiscal year 2003) as paragraph (2) and in such re-
9 designated paragraph redesignate subparagraphs
10 (A), (B), and (C) as subparagraphs (B), (C), and
11 (D), respectively, and before subparagraph (B), in-
12 sert the following new subparagraph:

13 “(A) for the discretionary category:
14 \$746,174,000,000 in new budget authority of
15 which not less than \$382,742,000,000 shall be
16 for the defense category and \$738,992,000,000
17 in outlays of which not less than
18 \$368,865,000,000 shall be for the defense cat-
19 egory;”.

20 (3) Redesignate paragraph (8) as paragraph (3)
21 and in such redesignated paragraph strike “with re-
22 spect to fiscal year 2004”, redesignate the remaining
23 matter as subparagraph (C), and before such redesi-
24 gnated matter insert the following:

25 “(3) with respect to fiscal year 2004—

1 “(A) for the discretionary category:
2 \$776,975,000,000 in new budget authority of
3 which not less than \$400,502,000,000 shall be
4 for the defense category and \$804,529,000,000
5 in outlays of which not less than
6 \$387,092,000,000 shall be for the defense cat-
7 egory;

8 “(B) for the highway category:
9 \$29,972,000,000 in outlays; and”.

10 (4) Redesignate paragraph (9) as paragraph (4)
11 and in such redesignated paragraph strike “with re-
12 spect to fiscal year 2005”, redesignate the remaining
13 matter as subparagraph (B), and before such redesi-
14 gnated matter insert the following:

15 “(4) with respect to fiscal year 2005—

16 “(A) for the discretionary category:
17 \$804,455,000,000 in new budget authority of
18 which not less than \$421,498,000,000 shall be
19 for the defense category and \$829,209,000,000
20 in outlays of which not less than
21 \$408,006,000,000 shall be for the defense cat-
22 egory;”.

23 (5) Redesignate paragraph (10) as paragraph
24 (5) and in such redesignated paragraph strike “with
25 respect to fiscal year 2006”, redesignate the remain-

ing matter as subparagraph (B), and before such redesignated matter insert the following:

“(5) with respect to fiscal year 2006—

“(A) for the discretionary category:

\$831,378,000,000 in new budget authority of

which not less than \$442,515,000,000 shall be

for the defense category and \$849,064,000,000

in outlays of which not less than

\$423,377,000,000 shall be for the defense category;”.

(6) After paragraph (5), add the following new paragraph:

“(6) with respect to fiscal year 2007, for the

discretionary category: \$864,998,000,000 in new

budget authority of which not less than

\$464,415,000,000 shall be for the defense category

and \$873,675,000,000 in outlays of which not less

than \$437,217,000,000 shall be for the defense category;”.

(7) Redesignate paragraphs (11) through (16)

as paragraphs (7) through (12), respectively.

(c) ADJUSTMENTS TO DISCRETIONARY SPENDING

LIMITS.—Section 251(b)(2) of the Balanced Budget and

Emergency Deficit Control Act of 1985 is amended by

striking subparagraphs (C) through (F) and by redesignating

1 nating subparagraphs (G) and (H) as subparagraphs (C)
2 and (D), respectively, and by inserting after subparagraph
3 (D) (as redesignated) the following new subparagraphs:

4 “(E) WAR ON TERRORISM.—(i) If a bill or
5 joint resolution is enacted providing new budget
6 authority for the Department of Defense to
7 prosecute the war on terrorism, the adjustment
8 shall be for fiscal year 2003, \$10,000,000,000
9 in new budget authority and outlays flowing
10 therefrom.

11 “(ii) An adjustment may not be made
12 under this subparagraph if the funds are des-
13 ignated as an emergency requirement.

14 “(iii) As used in this subparagraph, the
15 term ‘budget authority for the Department of
16 defense to prosecute the war on terrorism’
17 means budget authority specifically designated
18 for that purpose in the bill or joint resolution
19 providing the budget authority or specifically
20 designated for that purpose in a bill or joint
21 resolution authorizing funding for the Depart-
22 ment of Defense.

23 “(F) SPECIAL EDUCATION.—(i) If a bill or
24 joint resolution is enacted that provides in ex-
25 cess of \$7,529,000,000 in new budget authority

1 for fiscal year 2003 for grants to States author-
2 ized under part B of the Individuals with Dis-
3 abilities Education Act (IDEA), the adjustment
4 shall be for fiscal year 2003, \$1,000,000,000 in
5 new budget authority and outlays flowing there-
6 from.

7 “(ii) If a bill or joint resolution is enacted
8 that provides at least \$9,587,000,000 in new
9 budget authority for fiscal year 2004 for grants
10 to States authorized under part B of the Indi-
11 viduals with Disabilities Education Act (IDEA),
12 the adjustment shall be for fiscal year 2004,
13 \$1,752,000,000 in new budget authority and
14 outlays flowing therefrom.

15 “(iii) If a bill or joint resolution is enacted
16 that provides at least \$10,755,000,000 in new
17 budget authority for fiscal year 2005 for grants
18 to States authorized under part B of the Indi-
19 viduals with Disabilities Education Act (IDEA),
20 the adjustment shall be for fiscal year 2005,
21 \$2,763,000,000 in new budget authority and
22 outlays flowing therefrom.

23 “(iv) If a bill or joint resolution is enacted
24 that provides at least \$12,047,000,000 in new
25 budget authority for fiscal year 2006 for grants

1 to States authorized under part B of the Indi-
2 viduals with Disabilities Education Act (IDEA),
3 the adjustment shall be for fiscal year 2006,
4 \$3,894,000,000 in new budget authority and
5 outlays flowing therefrom.

6 “(v) If a bill or joint resolution is enacted
7 that provides at least \$13,497,000,000 in new
8 budget authority for fiscal year 2007 for grants
9 to States authorized under part B of the Indi-
10 viduals with Disabilities Education Act (IDEA),
11 the adjustment shall be for fiscal year 2007,
12 \$5,180,000,000 in new budget authority and
13 outlays flowing therefrom.

14 “(G) ACCRUAL ACCOUNTING.—If a bill or
15 joint resolution is enacted that charges Federal
16 agencies for the full cost of accrued Federal re-
17 tirement and health benefits and a bill or joint
18 resolution making appropriations is enacted
19 that provides new budget authority to carry out
20 the legislation charging Federal agencies for
21 such accrued costs, the adjustment shall be
22 equal to the reduction in mandatory budget au-
23 thority and the outlays flowing therefrom esti-
24 mated to result from the legislation charging
25 Federal agencies for such accrued costs.

1 “(H) RECLASSIFICATION OF STUDENT AID
2 ACCOUNTS.—If a bill or joint resolution is en-
3 acted that amends the Higher Education Act to
4 make student aid administration subject to an-
5 nual appropriations, the adjustment shall be:

6 “(i) for fiscal year 2003,
7 \$797,000,000 in additional new budget au-
8 thority and the outlays flowing therefrom;

9 “(ii) for fiscal year 2004,
10 \$813,000,000 in additional new budget au-
11 thority and the outlays flowing therefrom;

12 “(iii) for fiscal year 2005,
13 \$833,000,000 in additional new budget au-
14 thority and the outlays flowing therefrom;

15 “(iv) for fiscal year 2006,
16 \$851,000,000 in additional new budget au-
17 thority and the outlays flowing therefrom;

18 “(v) for fiscal year 2007,
19 \$871,000,000 in additional new budget au-
20 thority and the outlays flowing therefrom.

21 “(I) HIGHWAY CATEGORY.—(i) If a bill or
22 joint resolution is enacted that establishes an
23 obligation limitation in excess of
24 \$23,864,000,000 for fiscal year 2003 for pro-
25 grams, projects, and activities within the high-

1 way category, the adjustment to the highway
2 category shall be equal to the excess but not to
3 exceed \$1,180,000,000 in outlays for fiscal year
4 2003.

5 “(ii) LIMITATION.—An adjustment may
6 only be made under this subparagraph if the
7 bill or joint resolution establishing the obliga-
8 tion limitation provides that the obligation limi-
9 tation is made available solely for programs,
10 projects, or activities as distributed under sec-
11 tion 1102 of the Transportation Equity Act for
12 the 21st Century.”.

13 (d) EXPIRATION.—Section 275(b) of the Balanced
14 Budget and Emergency Deficit Control Act of 1985 is
15 amended by striking “2002” and inserting “2007”.

○