

108TH CONGRESS  
2D SESSION

# H. R. 4648

To amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to establish a pay-as-you-go requirement for mandatory spending.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2004

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

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## A BILL

To amend part C of the Balanced Budget and Emergency Deficit Control Act of 1985 to establish a pay-as-you-go requirement for mandatory spending.

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 “Mandatory Spending  
5 Control Act of 2004”.

6 **SEC. 2. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.**

7 (a) PURPOSE.—Section 252(a) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985 is  
9 amended to read as follows:

1       “(a) PURPOSE.—The purpose of this section is to as-  
2 sure that any legislation that is enacted before October  
3 1, 2009, that causes a net increase in direct spending will  
4 trigger an offsetting sequestration.”.

5       (b) TIMING.—Section 252(b)(1) of the Balanced  
6 Budget and Emergency Deficit Control Act of 1985 is  
7 amended by striking “any net deficit increase” and all  
8 that follows through “2002,” and by inserting “any net  
9 increase in direct spending enacted before October 1,  
10 2009,”.

11       (c) CALCULATION OF DIRECT SPENDING IN-  
12 CREASE.—Section 252(b)(2) of the Balanced Budget and  
13 Emergency Deficit Control Act of 1985 is amended—

14           (1) by striking “deficit” the first place it ap-  
15 pears and inserting “direct spending”;

16           (2) in subparagraph (A) by striking “and re-  
17 ceipts”;

18           (3) in subparagraph (C) by striking “and re-  
19 ceipts”; and

20           (4) by amending the heading to read as follows:

21       “CALCULATION OF DIRECT SPENDING  
22 INCREASE.—”.

23       (d) CONFORMING AMENDMENTS.—(1) The heading  
24 of section 252(c) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985 is amended to read as follows:

2 “ELIMINATING A DIRECT SPENDING INCREASE.—”.

3 (2) Paragraphs (1), (2), and (4) of section 252(d)  
4 of the Balanced Budget and Emergency Deficit Control  
5 Act of 1985 are amended by striking “or receipts” each  
6 place it appears.

7 (3) Section 252(e) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985 is amended by  
9 striking “or receipts” and by striking “, outlays, and re-  
10 cepts” and inserting “and outlays”.

11 (4) Section 254(e)(3) of the Balanced Budget and  
12 Emergency Deficit Control Act of 1985 is amended—

13 (A) in subparagraph (A) by striking “net deficit  
14 increase or decrease” and by inserting “net increase  
15 or decrease in direct spending”;

16 (B) in subparagraph (B) by striking “amount  
17 of deficit increase or decrease” and by inserting “in-  
18 crease or decrease in direct spending”; and

19 (C) in subparagraph (C) by striking “a deficit  
20 increase” and by inserting “an increase in direct  
21 spending”.

22 **SEC. 3. DEFINITION.**

23 Section 250(c) of the Balanced Budget and Emer-  
24 gency Deficit Control Act of 1985 is amended by adding  
25 at the end the following new paragraphs:

1           “(20)(A) Except as provided by subparagraph  
2           (B), the term ‘emergency requirement’ means any  
3           provision that provides new budget authority and re-  
4           sulting outlays for a situation that poses a threat to  
5           life, property, or national security and is—

6                   “(i) sudden, quickly coming into being, and  
7                   not building up over time;

8                   “(ii) an urgent, pressing, and compelling  
9                   need requiring immediate action;

10                  “(iii) subject to subparagraph (B), unfore-  
11                  seen, unpredictable, and unanticipated; and

12                  “(iv) not permanent, temporary in nature.

13           “(B) An emergency that is part of an aggregate  
14           level of anticipated emergencies, particularly when  
15           normally estimated in advance, is not unforeseen.”.

16 **SEC. 4. EXCEPTION FOR OUTLAY COMPONENTS OF EXPIR-**  
17 **ING RECEIPTS LEGISLATION.**

18           Section 252(d)(4) of the Balanced Budget and Emer-  
19           gency Deficit Control Act of 1985 is amended by striking  
20           “and” at the end of subparagraph (A), by striking the  
21           period and inserting “; and” at the end of subparagraph  
22           (B), and by adding at the end the following new subpara-  
23           graph:

24                   “(C) extending provisions in the Economic  
25                   Growth and Tax Relief Reconciliation Act of

1           2001 or provisions in sections 101 through 104,  
2           section 202, or sections 301 and 302 of the  
3           Jobs and Growth Tax Relief Reconciliation Act  
4           of 2003.”.

5 **SEC. 5. EXPIRATION.**

6           Section 275(b) of the Balanced Budget and Emer-  
7           gency Deficit Control Act of 1985 is amended by striking  
8           “2006” and inserting “2013”.

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