

111TH CONGRESS
1ST SESSION

H. R. 311

To cap discretionary spending, eliminate wasteful and duplicative agencies, reform entitlement programs, and reform the congressional earmark process.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Mr. BRADY of Texas (for himself, Mr. KINGSTON, Mr. AKIN, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY of Georgia, Mr. HENSARLING, Mr. JORDAN of Ohio, Mr. LAMBORN, Mr. MCCLINTOCK, Mr. PITTS, and Mr. POSEY) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Rules and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To cap discretionary spending, eliminate wasteful and duplicative agencies, reform entitlement programs, and reform the congressional earmark process.

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 “Spending Reform Act
5 of 2009”.

1 **TITLE I—CAPS ON**
2 **DISCRETIONARY SPENDING**

3 **SEC. 101. DISCRETIONARY SPENDING LIMITS.**

4 (a) **CONTENT OF CONCURRENT RESOLUTION ON THE**
5 **BUDGET.**—Section 301(a) of the Congressional Budget
6 Act of 1974 is amended by striking “and” at the end of
7 paragraph (6), by striking the period and inserting “;
8 and” at the end of paragraph (7), and by inserting at the
9 end the following new paragraph:

10 “(8) the discretionary spending limit.”.

11 (b) **POINT OF ORDER.**—Section 312(b) of the Con-
12 gressional Budget Act of 1974 is amended to read as fol-
13 lows:

14 “(b) **DISCRETIONARY SPENDING POINTS OF**
15 **ORDER.**—

16 “(1) **IN GENERAL.**—(A) Except as otherwise
17 provided in this subsection, it shall not be in order
18 in the House of Representatives or the Senate to
19 consider any bill or joint resolution (or amendment,
20 motion, or conference report on that bill or resolu-
21 tion) that would exceed for any fiscal year the dis-
22 cretionary spending limit set forth in the most re-
23 cent concurrent resolution on the budget for that fis-
24 cal year.

1 “(B) It shall not be in order in the House of
2 Representatives or the Senate to consider any con-
3 current resolution on the budget unless it sets forth
4 a discretionary spending limit for the fiscal year be-
5 ginning on October 1 of the calendar year in which
6 that concurrent resolution is reported and for each
7 of the 4 ensuing fiscal years that for any such fiscal
8 year does not exceed the discretionary spending limit
9 for the previous fiscal year increased by the esti-
10 mated change in the Consumer Price Index for All
11 Urban Consumers. The discretionary spending limit
12 for fiscal year 2010 is the number set forth in sec-
13 tion 312(b)(2) of the concurrent resolution on the
14 budget for fiscal year 2010.

15 “(2) EXCEPTIONS.—Paragraph (1)(A) shall not
16 apply if a declaration of war by the Congress is in
17 effect.”.

18 (c) SUPER MAJORITY POINT OF ORDER IN THE SEN-
19 ATE.—Subsection (c)(1) and subsection (d)(2) of section
20 904 of the Congressional Budget Act of 1974 is amended
21 by inserting “312(b),” after “310(d)(2),” each place it ap-
22 pears.

1 **TITLE II—SUNSETTING OF**
2 **FEDERAL AGENCIES**

3 **SEC. 201. REVIEW AND ABOLISHMENT OF FEDERAL AGEN-**
4 **CIES.**

5 (a) SCHEDULE FOR REVIEW.—Not later than one
6 year after the date of the enactment of this Act, the Fed-
7 eral Agency Sunset Commission established under section
8 202 (in this title referred to as the “Commission”) shall
9 submit to Congress a schedule for review by the Commis-
10 sion, at least once every 12 years (or less, if determined
11 appropriate by Congress), of the abolishment or reorga-
12 nization of each agency.

13 (b) REVIEW OF AGENCIES PERFORMING RELATED
14 FUNCTIONS.—In determining the schedule for review of
15 agencies under subsection (a), the Commission shall pro-
16 vide that agencies that perform similar or related func-
17 tions be reviewed concurrently to promote efficiency and
18 consolidation.

19 (c) ABOLISHMENT OF AGENCIES.—

20 (1) IN GENERAL.—Each agency shall—

21 (A) be reviewed according to the schedule
22 created pursuant to this section; and

23 (B) be abolished not later than one year
24 after the date that the Commission completes
25 its review of the agency pursuant to such sched-

1 ule, unless the agency is reauthorized by the
2 Congress.

3 (2) **EXTENSION.**—The deadline for abolishing
4 an agency may be extended for an additional two
5 years after the date described in paragraph (1)(B)
6 if the Congress enacts legislation extending such
7 deadline by a vote of a super majority of the House
8 of Representatives and the Senate.

9 **SEC. 202. ESTABLISHMENT OF COMMISSION.**

10 (a) **ESTABLISHMENT.**—There is established a com-
11 mission to be known as the “Federal Agency Sunset Com-
12 mission”.

13 (b) **COMPOSITION.**—The Commission shall be com-
14 posed of 12 members (in this title referred to as the
15 “members”) who shall be appointed as follows:

16 (1) Six members shall be appointed by the
17 Speaker of the House of Representatives, one of
18 whom may include the Speaker of the House of Rep-
19 resentatives, with minority members appointed with
20 the consent of the minority leader of the House of
21 Representatives.

22 (2) Six members shall be appointed by the ma-
23 jority leader of the Senate, one of whom may include
24 the majority leader of the Senate, with minority

1 members appointed with the consent of the minority
2 leader of the Senate.

3 (c) QUALIFICATIONS OF MEMBERS.—

4 (1) IN GENERAL.—(A) Of the members ap-
5 pointed under subsection (b)(1), four shall be mem-
6 bers of the House of Representatives (not more than
7 two of whom may be of the same political party),
8 and two shall be an individual described in subpara-
9 graph (C).

10 (B) Of the members appointed under subsection
11 (b)(2), four shall be members of the Senate (not
12 more than two of whom may be of the same political
13 party) and two shall be an individual described in
14 subparagraph (C).

15 (C) An individual under this subparagraph is
16 an individual—

17 (i) who is not a member of Congress; and

18 (ii) with expertise in the operation and ad-
19 ministration of Government programs.

20 (2) CONTINUATION OF MEMBERSHIP.—If a
21 member was appointed to the Commission as a
22 member of Congress and the member ceases to be
23 a member of Congress, that member shall cease to
24 be a member of the Commission. The validity of any
25 action of the Commission shall not be affected as a

1 result of a member becoming ineligible to serve as
2 a member for the reasons described in this para-
3 graph.

4 (d) INITIAL APPOINTMENTS.—All initial appoint-
5 ments to the Commission shall be made not later than 90
6 days after the date of the enactment of this Act.

7 (e) CHAIRMAN; VICE CHAIRMAN.—

8 (1) INITIAL CHAIRMAN.—An individual shall be
9 designated by the Speaker of the House of Rep-
10 resentatives from among the members initially ap-
11 pointed under subsection (b)(1) to serve as Chair-
12 man of the Commission for a period of 2 years.

13 (2) INITIAL VICE CHAIRMAN.—An individual
14 shall be designated by the majority leader of the
15 Senate from among the individuals initially ap-
16 pointed under subsection (b)(2) to serve as Vice
17 Chairman of the Commission for a period of two
18 years.

19 (3) ALTERNATE APPOINTMENTS OF CHAIRMEN
20 AND VICE CHAIRMEN.—Following the termination of
21 the two-year period described in paragraphs (1) and
22 (2), the Speaker and the majority leader shall alter-
23 nate every two years in appointing the chairman and
24 Vice Chairman of the Commission.

25 (f) TERMS OF MEMBERS.—

1 (1) MEMBERS OF CONGRESS.—Each member
2 appointed to the Commission who is a member of
3 Congress shall serve for a term of six years, except
4 that, of the members first appointed under para-
5 graphs (1) and (2) of subsection (b), 2 members
6 shall be appointed to serve a term of three years
7 under each such paragraph.

8 (2) OTHER MEMBERS.—Each member of the
9 Commission who is not a member of Congress shall
10 serve for a term of three years.

11 (3) TERM LIMIT.—(A) A member of the Com-
12 mission who is a member of Congress and who
13 serves more than three years of a term may not be
14 appointed to another term as a member.

15 (B) A member of the Commission who is not a
16 member of Congress and who serves as a member of
17 the Commission for more than 56 months may not
18 be appointed to another term as a member.

19 (g) POWERS OF COMMISSION.—

20 (1) HEARINGS AND SESSIONS.—The Commis-
21 sion may, for the purpose of carrying out this title,
22 hold such hearings, sit and act at such times and
23 places, take such testimony, and receive such evi-
24 dence as the Commission considers appropriate. The

1 Commission may administer oaths to witnesses ap-
2 pearing before it.

3 (2) OBTAINING INFORMATION.—The Commis-
4 sion may secure directly from any department or
5 agency of the United States information necessary
6 to enable it to carry out its duties under this title.
7 Upon request of the Chairman, the head of that de-
8 partment or agency shall furnish that information to
9 the Commission in a full and timely manner.

10 (3) SUBPOENA POWER.—(A) The Commission
11 may issue a subpoena to require the attendance and
12 testimony of witnesses and the production of evi-
13 dence relating to any matter under investigation by
14 the Commission.

15 (B) If a person refuses to obey an order or sub-
16 poena of the Commission that is issued in connection
17 with a Commission proceeding, the Commission may
18 apply to the United States district court in the judi-
19 cial district in which the proceeding is held for an
20 order requiring the person to comply with the sub-
21 poena or order.

22 (4) IMMUNITY.—The Commission is an agency
23 of the United States for purposes of part V of title
24 18, United States Code (relating to immunity of wit-
25 nesses).

1 (5) CONTRACT AUTHORITY.—The Commission
2 may contract with and compensate government and
3 private agencies or persons for services without re-
4 gard to section 3709 of the Revised Statutes (41
5 U.S.C. 5).

6 (h) COMMISSION PROCEDURES.—

7 (1) MEETINGS.—The Commission shall meet at
8 the call of the Chairman.

9 (2) QUORUM.—Seven members of the Commis-
10 sion shall constitute a quorum but a lesser number
11 may hold hearings.

12 (i) PERSONNEL MATTERS.—

13 (1) COMPENSATION.—Members shall not be
14 paid by reason of their service as members.

15 (2) TRAVEL EXPENSES.—Each member shall
16 receive travel expenses, including per diem in lieu of
17 subsistence, in accordance with sections 5702 and
18 5703 of title 5, United States Code.

19 (3) DIRECTOR.—The Commission shall have a
20 Director who shall be appointed by the Chairman.
21 The Director shall be paid at a rate not to exceed
22 the maximum rate of basic pay payable for GS-15
23 of the General Schedule.

1 (4) STAFF.—The Director may appoint and fix
2 the pay of additional personnel as the Director con-
3 siders appropriate.

4 (5) APPLICABILITY OF CERTAIN CIVIL SERVICE
5 LAWS.—The Director and staff of the Commission
6 shall be appointed subject to the provisions of title
7 5, United States Code, governing appointments in
8 the competitive service, and shall be paid in accord-
9 ance with the provisions of chapter 51 and sub-
10 chapter III of chapter 53 of that title relating to
11 classification and General Schedule pay rates.

12 (j) OTHER ADMINISTRATIVE MATTERS.—

13 (1) POSTAL AND PRINTING SERVICES.—The
14 Commission may use the United States mails and
15 obtain printing and binding services in the same
16 manner and under the same conditions as other de-
17 partments and agencies of the United States.

18 (2) ADMINISTRATIVE SUPPORT SERVICES.—
19 Upon the request of the Commission, the Adminis-
20 trator of General Services shall provide to the Com-
21 mission, on a reimbursable basis, the administrative
22 support services necessary for the Commission to
23 carry out its duties under this title

24 (3) EXPERTS AND CONSULTANTS.—The Com-
25 mission may procure temporary and intermittent

1 services under section 3109(b) of title 5, United
2 States Code.

3 (k) SUNSET OF COMMISSION.—The Commission shall
4 terminate on December 31, 2034, unless reauthorized by
5 Congress.

6 **SEC. 203. REVIEW OF EFFICIENCY AND NEED FOR FEDERAL**
7 **AGENCIES.**

8 (a) IN GENERAL.—The Commission shall review the
9 efficiency and public need for each agency in accordance
10 with the criteria described in section 204.

11 (b) RECOMMENDATIONS; REPORT TO CONGRESS.—
12 The Commission shall submit to Congress and the Presi-
13 dent not later than September 1 of each year a report
14 containing—

15 (1) an analysis of the efficiency of operation
16 and public need for each agency to be reviewed in
17 the year in which the report is submitted pursuant
18 to the schedule submitted to Congress under section
19 201;

20 (2) recommendations on whether each such
21 agency should be abolished or reorganized;

22 (3) recommendations on whether the functions
23 of any other agencies should be consolidated, trans-
24 ferred, or reorganized in an agency to be reviewed
25 in the year in which the report is submitted pursu-

1 ant to the schedule submitted to Congress under
2 section 201; and

3 (4) recommendations for administrative and
4 legislative action with respect to each such agency,
5 but not including recommendations for appropriation
6 levels.

7 (c) DRAFT LEGISLATION.—The Commission shall
8 submit to Congress and the President not later than Sep-
9 tember 1 of each year a draft of legislation to carry out
10 the recommendations of the Commission under subsection
11 (b).

12 (d) INFORMATION GATHERING.—The Commission
13 shall—

14 (1) conduct public hearings on the abolishment
15 of each agency reviewed under subsection (b);

16 (2) provide an opportunity for public comment
17 on the abolishment of each such agency;

18 (3) require the agency to provide information to
19 the Commission as appropriate; and

20 (4) consult with the General Accounting Office,
21 the Office of Management and Budget, the Comp-
22 troller General, and the chairman and ranking mi-
23 nority members of the committees of Congress with
24 oversight responsibility for the agency being re-
25 viewed regarding the operation of the agency.

1 (e) USE OF PROGRAM INVENTORY.—The Commis-
2 sion shall use the program inventory prepared under sec-
3 tion 208 in reviewing the efficiency and public need for
4 each agency under subsection (a).

5 **SEC. 204. CRITERIA FOR REVIEW.**

6 The Commission shall evaluate the efficiency and
7 public need for each agency pursuant to section 203 using
8 the following criteria:

9 (1) The effectiveness, and the efficiency of the
10 operation of, the programs carried out by each such
11 agency.

12 (2) Whether the programs carried out by the
13 agency are cost-effective.

14 (3) Whether the agency has acted outside the
15 scope of its original authority, and whether the origi-
16 nal objectives of the agency have been achieved.

17 (4) Whether less restrictive or alternative meth-
18 ods exist to carry out the functions of the agency.

19 (5) The extent to which the jurisdiction of, and
20 the programs administered by, the agency duplicate
21 or conflict with the jurisdiction and programs of
22 other agencies.

23 (6) The potential benefits of consolidating pro-
24 grams administered by the agency with similar or

1 duplicative programs of other agencies, and the po-
2 tential for consolidating such programs.

3 (7) The number and types of beneficiaries or
4 persons served by programs carried out by the agen-
5 cy.

6 (8) The extent to which any trends, develop-
7 ments, and emerging conditions that are likely to af-
8 fect the future nature and extent of the problems or
9 needs that the programs carried out by the agency
10 are intended to address.

11 (9) The extent to which the agency has com-
12 plied with the provisions contained in the Govern-
13 ment Performance and Results Act of 1993 (Public
14 Law 103–62; 107 Stat. 285).

15 (10) The promptness and effectiveness with
16 which the agency seeks public input and input from
17 State and local governments on the efficiency and ef-
18 fectiveness of the performance of the functions of
19 the agency.

20 (11) Whether the agency has worked to enact
21 changes in the law that are intended to benefit the
22 public as a whole rather than the specific business,
23 institution, or individuals that the agency regulates.

24 (12) The extent to which the agency has en-
25 couraged participation by the public as a whole in

1 making its rules and decisions rather than encour-
2 aging participation solely by those it regulates.

3 (13) The extent to which the public participa-
4 tion in rulemaking and decisionmaking of the agency
5 has resulted in rules and decisions compatible with
6 the objectives of the agency.

7 (14) The extent to which the agency complies
8 with section 552 of title 5, United States Code (com-
9 monly known as the “Freedom of Information Act”).

10 (15) The extent to which the agency complies
11 with equal employment opportunity requirements re-
12 garding equal employment opportunity.

13 (16) The extent of the regulatory, privacy, and
14 paperwork impacts of the programs carried out by
15 the agency.

16 (17) The extent to which the agency has coordi-
17 nated with State and local governments in per-
18 forming the functions of the agency.

19 (18) The potential effects of abolishing the
20 agency on State and local governments.

21 (19) The extent to which changes are necessary
22 in the authorizing statutes of the agency in order
23 that the functions of the agency can be performed
24 in the most efficient and effective manner.

1 **SEC. 205. COMMISSION OVERSIGHT.**

2 (a) MONITORING OF IMPLEMENTATION OF REC-
3 OMMENDATIONS.—The Commission shall monitor imple-
4 mentation of laws enacting provisions that incorporate rec-
5 ommendations of the Commission with respect to abolish-
6 ment or reorganization of agencies.

7 (b) MONITORING OF OTHER RELEVANT LEGISLA-
8 TION.—

9 (1) IN GENERAL.—The Commission shall review
10 and report to Congress on all legislation introduced
11 in either house of Congress that would establish—

12 (A) a new agency; or

13 (B) a new program to be carried out by an
14 existing agency.

15 (2) REPORT TO CONGRESS.—The Commission
16 shall include in each report submitted to Congress
17 under paragraph (1) an analysis of whether—

18 (A) the functions of the proposed agency
19 or program could be carried out by one or more
20 existing agencies;

21 (B) the functions of the proposed agency
22 or program could be carried out in a less re-
23 strictive manner than the manner proposed in
24 the legislation; and

1 (C) the legislation provides for public input
2 regarding the performance of functions by the
3 proposed agency or program.

4 **SEC. 206. RULEMAKING AUTHORITY.**

5 The Commission may promulgate such rules as nec-
6 essary to carry out this title.

7 **SEC. 207. RELOCATION OF FEDERAL EMPLOYEES.**

8 If the position of an employee of an agency is elimi-
9 nated as a result of the abolishment of an agency in ac-
10 cordance with this title, there shall be a reasonable effort
11 to relocate such employee to a position within another
12 agency.

13 **SEC. 208. PROGRAM INVENTORY.**

14 (a) PREPARATION.—The Comptroller General and
15 the Director of the Congressional Budget Office, in co-
16 operation with the Director of the Congressional Research
17 Service, shall prepare an inventory of Federal programs
18 (in this title referred to as the “program inventory”) with-
19 in each agency.

20 (b) PURPOSE.—The purpose of the program inven-
21 tory is to advise and assist the Congress and the Commis-
22 sion in carrying out the requirements of this title. Such
23 inventory shall not in any way bind the committees of the
24 Senate or the House of Representatives with respect to
25 their responsibilities under this title and shall not infringe

1 on the legislative and oversight responsibilities of such
2 committees. The Comptroller General shall compile and
3 maintain the inventory and the Director of the Congres-
4 sional Budget Office shall provide budgetary information
5 for inclusion in the inventory.

6 (c) INVENTORY CONTENT.—The program inventory
7 shall set forth for each program each of the following mat-
8 ters:

9 (1) The specific provision or provisions of law
10 authorizing the program.

11 (2) The committees of the Senate and the
12 House of Representatives which have legislative or
13 oversight jurisdiction over the program.

14 (3) A brief statement of the purpose or pur-
15 poses to be achieved by the program.

16 (4) The committees which have jurisdiction over
17 legislation providing new budget authority for the
18 program, including the appropriate subcommittees of
19 the Committees on Appropriations of the Senate and
20 the House of Representatives.

21 (5) The agency and, if applicable, the subdivi-
22 sion thereof responsible for administering the pro-
23 gram.

24 (6) The grants-in-aid, if any, provided by such
25 program to State and local governments.

1 (7) The next reauthorization date for the pro-
2 gram.

3 (8) A unique identification number which links
4 the program and functional category structure.

5 (9) The year in which the program was origi-
6 nally established and, where applicable, the year in
7 which the program expires.

8 (10) Where applicable, the year in which new
9 budget authority for the program was last author-
10 ized and the year in which current authorizations of
11 new budget authority expire.

12 (d) BUDGET AUTHORITY.—The report also shall set
13 forth for each program whether the new budget authority
14 provided for such programs is—

15 (1) authorized for a definite period of time;

16 (2) authorized in a specific dollar amount but
17 without limit of time;

18 (3) authorized without limit of time or dollar
19 amounts;

20 (4) not specifically authorized; or

21 (5) permanently provided,

22 as determined by the Director of the Congressional Budg-
23 et Office.

24 (e) CBO INFORMATION.—For each program or group
25 of programs, the program inventory also shall include in-

1 formation prepared by the Director of the Congressional
2 Budget Office indicating each of the following matters:

3 (1) The amounts of new budget authority au-
4 thorized and provided for the program for each of
5 the preceding four fiscal years and, where applicable,
6 the four succeeding fiscal years.

7 (2) The functional and subfunctional category
8 in which the program is presently classified and was
9 classified under the fiscal year 2010 budget.

10 (3) The identification code and title of the ap-
11 propriation account in which budget authority is
12 provided for the program.

13 (f) MUTUAL EXCHANGE OF INFORMATION.—The
14 General Accounting Office, the Congressional Research
15 Service, and the Congressional Budget Office shall permit
16 the mutual exchange of available information in their pos-
17 session which would aid in the compilation of the program
18 inventory.

19 (g) ASSISTANCE BY EXECUTIVE BRANCH.—The Of-
20 fice of Management and Budget, and the Executive agen-
21 cies and the subdivisions thereof shall, to the extent nec-
22 essary and possible, provide the General Accounting Office
23 with assistance requested by the Comptroller General in
24 the compilation of the program inventory.

1 **SEC. 209. DEFINITION OF AGENCY.**

2 As used in this title, the term “agency” has the
3 meaning given that term by section 105 of title 5, United
4 States Code, except that such term includes an advisory
5 committee as that term is defined in section 102(2) of the
6 Federal Advisory Committee Act.

7 **SEC. 210. OFFSET OF AMOUNTS APPROPRIATED.**

8 Amounts appropriated to carry out this title shall be
9 offset by a reduction in amounts appropriated to carry out
10 programs of other Federal agencies.

11 **TITLE III—ESTABLISHMENT OF**
12 **JOINT SELECT COMMITTEE**
13 **ON EARMARK REFORM**

14 **SEC. 301. JOINT SELECT COMMITTEE ON EARMARK RE-**
15 **FORM.**

16 (a) ESTABLISHMENT AND COMPOSITION.—There is
17 hereby established a Joint Select Committee on Earmark
18 Reform. The joint select committee shall be composed of
19 16 members as follows:

20 (1) 8 Members of the House of Representatives,
21 4 appointed from the majority party by the Speaker
22 of the House, and 4 from the minority party to be
23 appointed by the minority leader; and

24 (2) 8 Members of the Senate, 4 appointed from
25 the majority party by the majority leader of the Sen-

1 ate, and 4 from the minority party to be appointed
2 by the minority leader.

3 A vacancy in the joint select committee shall not affect
4 the power of the remaining members to execute the func-
5 tions of the joint select committee, and shall be filled in
6 the same manner as the original selection.

7 (b) STUDY AND REPORT.—

8 (1) STUDY.—The joint select committee shall
9 make a full study of the practices of the House, Sen-
10 ate, and Executive Branch regarding earmarks in
11 authorizing, appropriation, tax, and tariff measures.
12 As part of the study, the joint select committee shall
13 consider the efficacy of—

14 (A) the disclosure requirements of clause 9
15 of rule XXI and clause 17 of rule XXIII of the
16 Rules of the House of Representatives and rule
17 XLIV of the Standing Rules of the Senate, and
18 the definitions contained therein;

19 (B) requiring full transparency in the proc-
20 ess, with earmarks listed in bills at the outset
21 of the legislative process and continuing
22 throughout consideration;

23 (C) requiring that earmarks not be placed
24 in any bill after initial committee consideration;

1 (D) requiring that Members be permitted
2 to offer amendments to remove earmarks at
3 subcommittee, full committee, floor consider-
4 ation, and during conference committee meet-
5 ings;

6 (E) requiring that bill sponsors and major-
7 ity and minority managers certify the validity of
8 earmarks contained in their bills;

9 (F) recommending changes to earmark re-
10 quests made by the Executive Branch through
11 the annual budget submitted to Congress pur-
12 suant to section 1105 of title 31, United States
13 Code;

14 (G) requiring that House and Senate
15 amendments meet earmark disclosure require-
16 ments, including amendments adopted pursuant
17 to a special order of business;

18 (H) establishing new categories for ear-
19 marks, including—

20 (i) projects with National scope;

21 (ii) military projects; and

22 (iii) local or provincial projects, in-
23 cluding the level of matching funds re-
24 quired for such project.

25 (2) REPORT.—

1 (A) The joint select committee shall submit
2 to the House and the Senate a report of its
3 findings and recommendations not later than 6
4 months after the enactment of this Act.

5 (B) No recommendation shall be made by
6 the joint select committee except upon the ma-
7 jority vote of the members from each House, re-
8 spectively.

9 (C) Notwithstanding any other provision of
10 this resolution, any recommendation with re-
11 spect to the rules and procedures of one House
12 that only affects matters related solely to that
13 House may only be made and voted on by mem-
14 bers of the joint select committee from that
15 House and, upon its adoption by a majority of
16 such members, shall be considered to have been
17 adopted by the full committee as a rec-
18 ommendation of the joint select committee.

19 In conducting the study under paragraph (1), the joint
20 select committee shall hold not fewer than 5 public hear-
21 ings.

22 (c) RESOURCES AND DISSOLUTION.—

23 (1) The joint select committee may utilize the
24 resources of the House and Senate.

1 (2) The joint select committee shall cease to
 2 exist 30 days after the submission of the report de-
 3 scribed in subsection (a)(2).

4 (d) DEFINITION.—For purposes of this section, the
 5 term “earmark” shall include congressional earmarks,
 6 congressionally directed spending items, limited tax bene-
 7 fits, or limited tariff benefits as those terms are used in
 8 clause 9 of rule XXI of the Rules of the House of Rep-
 9 resentatives and rule XLIV of the Standing Rules of the
 10 Senate. Nothing in this subsection shall confine the study
 11 of the joint select committee or otherwise limit its rec-
 12 ommendations.

13 **SEC. 302. MORATORIUM ON CONSIDERATION OF EAR-**
 14 **MARKS.**

15 (a) IN THE HOUSE.—It shall not be in order to con-
 16 sider a bill, joint resolution, or conference report con-
 17 taining a congressional earmark, limited tax benefit, or
 18 limited tariff benefit (as such terms are used in clause
 19 9 of rule XXI of the Rules of the House of Representa-
 20 tives) until the filing of the report required under section
 21 301.

22 (b) IN THE SENATE.—【To be supplied.】

1 **TITLE IV—ESTABLISHMENT OF**
2 **THE SECURING AMERICA’S**
3 **FUTURE ECONOMY COMMIS-**
4 **SION**

5 **SEC. 401. ESTABLISHMENT.**

6 There is established a commission to be known as the
7 “Securing America’s Future Economy Commission”
8 (hereinafter in this title referred to as the “Commission”).

9 **SEC. 402. DUTIES OF COMMISSION.**

10 (a) **MANDATORY LEGISLATION DEVELOPMENT.—**

11 (1) **ISSUES TO ADDRESS.—**The Commission
12 shall examine the long-term fiscal challenges facing
13 the United States and develop legislation designed to
14 address the following issues:

15 (A) The unsustainable imbalance between
16 long-term Federal spending commitments and
17 projected revenues.

18 (B) Increasing net national savings to pro-
19 vide for domestic investment and economic
20 growth.

21 (C) The implications of foreign ownership
22 of debt instruments issued by the United States
23 Government.

24 (D) Improving the budget process to place
25 greater emphasis on long-term fiscal issues.

1 (2) POLICY SOLUTIONS.—Legislation developed
2 to address the issues described in paragraph (1) may
3 include the following:

4 (A) Reforms that limit the growth of enti-
5 tlement spending to ensure that the programs
6 are fiscally sustainable.

7 (B) Reforms that strengthen the safety net
8 functions of entitlement programs to provide
9 assistance to the neediest people.

10 (C) Reforms that make United States tax
11 laws more efficient and more conducive to en-
12 couraging economic growth.

13 (D) Incentives to increase private savings.

14 (E) Any other reforms designed to address
15 the issues described in paragraph (1).

16 (b) OPTIONAL DEVELOPMENT OF COST ESTIMATE
17 ALTERNATIVES.—

18 (1) IN GENERAL.—The Commission shall by an
19 affirmative vote of 5 members develop not more than
20 2 methods for estimating the cost of legislation as
21 an alternative to the method currently used by the
22 Congressional Budget Office.

23 (2) SPECIFICALLY.—Any such alternative meth-
24 od must—

1 (A) be designed to address any short-
2 comings in the method currently used with re-
3 gard to estimating the positive economic effects
4 of legislation; and

5 (B) consider the use of automatic stabi-
6 lizers or triggers to enforce spending and rev-
7 enue targets, in the event that policies based on
8 the alternative method fail to achieve targets
9 for outlays and revenues.

10 (3) LIMITATION.—Any alternative developed
11 pursuant to this subsection shall generally comply
12 with subsections (b), (c), and (d) of section 413.

13 **SEC. 403. INITIAL TOWN HALL STYLE PUBLIC HEARINGS.**

14 (a) IN GENERAL.—The Commission shall hold at
15 least 1 town hall style public hearing within each Federal
16 reserve district, and shall, to the extent feasible, ensure
17 that there is broad public participation in the hearings.

18 (b) HEARING FORMAT.—During each hearing, the
19 Commission shall present to the public, and generate com-
20 ments and suggestions regarding, the issues described in
21 section 402, policies designed to address the issues, and
22 tradeoffs between the policies.

1 **SEC. 404. REPORT.**

2 The Commission shall, not later than 1 year after the
3 date of the enactment of this Act, submit a report to Con-
4 gress and the President containing the following:

5 (1) A detailed description of the activities of the
6 Commission.

7 (2) A summary of comments and suggestions
8 generated from the town hall style public hearings.

9 (3) A detailed statement of any findings of the
10 Commission as to public preferences regarding the
11 issues, policies, and tradeoffs presented in the town
12 hall style public hearings.

13 (4) A detailed description of the long-term fis-
14 cal problems faced by the United States.

15 (5) A list of policy options for addressing those
16 problems.

17 (6) Criteria for the legislative proposal to be de-
18 veloped by the Commission.

19 **SEC. 405. LEGISLATIVE PROPOSAL.**

20 (a) IN GENERAL.—Not later than 60 days after the
21 date the report is submitted under section 404 and by a
22 vote of three-fourths of the members, the Commission
23 shall submit a legislative proposal to Congress and the
24 President designed to address the issues described section
25 402.

1 (b) PROPOSAL REQUIREMENTS.—The proposal must,
2 to the extent feasible, be designed—

3 (1) to achieve generational equity and long-term
4 economic stability;

5 (2) to address the comments and suggestions of
6 the public; and

7 (3) to meet the criteria set forth in the Com-
8 mission report.

9 (c) INCLUSION OF COST ESTIMATE.—The Commis-
10 sion shall submit with the proposal—

11 (1) a long-term CBO cost estimate prepared
12 under section 413 for the proposal; and

13 (2) if an alternative cost estimate method is de-
14 veloped by the Commission, a 50-year cost estimate
15 using such method.

16 **SEC. 406. MEMBERSHIP AND MEETINGS.**

17 (a) IN GENERAL.—The Commission shall be com-
18 posed of 16 voting members appointed pursuant to para-
19 graph (1) and 2 nonvoting members described in para-
20 graph (2).

21 (1) VOTING MEMBERS.—The Commission shall
22 be composed of 16 voting members of whom—

23 (A) one shall be the Director of the Office
24 of Management and Budget;

1 (B) one shall be the Secretary of the
2 Treasury;

3 (C) four shall be appointed by the Speaker
4 of the House of Representatives;

5 (D) three shall be appointed by the minor-
6 ity leader of the House of Representatives;

7 (E) four shall be appointed by the majority
8 leader of the Senate; and

9 (F) three shall be appointed by the minor-
10 ity leader of the Senate.

11 (2) NONVOTING MEMBERS.—The Comptroller
12 General of the United States and the Director of the
13 Congressional Budget Office shall each be nonvoting
14 members of the Commission and shall advise and as-
15 sist at the request of the Commission.

16 (3) CHAIR AND CO-CHAIR.—The President shall
17 designate 2 co-chairpersons of the Commission from
18 the members appointed under paragraph (1), one of
19 whom must be a Republican and one of whom must
20 be a Democrat.

21 (b) LIMITATIONS AS TO MEMBERS OF CONGRESS.—

22 (1) FOUR MEMBERS OF CONGRESS ON COMMIS-
23 SION.—Each appointing authority described in sub-
24 section (a)(1) who is a member of Congress shall ap-
25 point 1 member of Congress to the Commission but

1 may not appoint more than 1 member of Congress
2 to the Commission.

3 (2) CONTINUATION OF VOTING MEMBERSHIP.—

4 In the case of an individual appointed pursuant to
5 subsection (a)(1) who was appointed as a member of
6 Congress under paragraph (1), if such individual
7 ceases to be a member of Congress, that individual
8 shall cease to be a member of the Commission.

9 (c) DATE FOR ORIGINAL APPOINTMENT.—The ap-
10 pointing authorities described in subsection (a)(1) shall
11 appoint the initial members of the Commission not later
12 than 30 days after the date of enactment of this Act.

13 (d) TERMS.—

14 (1) IN GENERAL.—The term of each member is
15 for the life of the Commission.

16 (2) VACANCIES.—A vacancy in the Commission
17 shall be filled not later than 30 days after such va-
18 cancy occurs and in the manner in which the origi-
19 nal appointment was made.

20 (e) PAY AND REIMBURSEMENT.—

21 (1) NO COMPENSATION FOR MEMBERS OF COM-
22 MISSION.—Except as provided in paragraph (2), a
23 member of the Commission may not receive pay, al-
24 lowances, or benefits by reason of their service on
25 the Commission.

1 (2) TRAVEL EXPENSES.—Each member shall
2 receive travel expenses, including per diem in lieu of
3 subsistence under subchapter I of chapter 57 of title
4 5, United States Code.

5 (f) MEETINGS.—The Commission shall meet upon
6 the call of the chairperson or a majority of its voting mem-
7 bers.

8 (g) QUORUM.—Six voting members of the Commis-
9 sion shall constitute a quorum, but a lesser number may
10 hold hearings.

11 **SEC. 407. DIRECTOR AND STAFF OF COMMISSION.**

12 (a) DIRECTOR.—

13 (1) IN GENERAL.—Subject to subsection (c)
14 and to the extent provided in advance in appropria-
15 tion Acts, the Commission shall appoint and fix the
16 pay of a director.

17 (2) DUTIES.—The director of the Commission
18 shall be responsible for the administration and co-
19 ordination of the duties of the Commission and shall
20 perform other such duties as the Commission may
21 direct.

22 (b) STAFF.—In accordance with rules agreed upon
23 by the Commission, subject to subsection (c), and to the
24 extent provided in advance in appropriation Acts, the di-
25 rector may appoint and fix the pay of additional personnel.

1 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
2 LAWS.—The director and staff of the Commission may be
3 appointed without regard to the provisions of title 5,
4 United States Code, governing appointments in the com-
5 petitive service, and may be paid without regard to the
6 provisions of chapter 51 and subchapter III of chapter 53
7 of that title relating to classification and General Schedule
8 pay rates, except that pay fixed under subsection (a) may
9 not exceed \$150,000 per year and pay fixed under sub-
10 section (b) may not exceed a rate equal to the daily equiva-
11 lent of the annual rate of basic pay for level V of the Exec-
12 utive Schedule under section 5316 of title 5, United States
13 Code.

14 (d) DETAILEES.—Any Federal Government employee
15 may be detailed to the Commission without reimbursement
16 from the Commission, and such detailee shall retain the
17 rights, status, and privileges of their regular employment
18 without interruption.

19 (e) EXPERTS AND CONSULTANTS.—In accordance
20 with rules agreed upon by the Commission and to the ex-
21 tent provided in advance in appropriation Acts, the direc-
22 tor may procure the services of experts and consultants
23 under section 3109(b) of title 5, United States Code, but
24 at rates not to exceed the daily equivalent of the annual

1 rate of basic pay for level V of the Executive Schedule
2 under section 5316 of title 5, United States Code.

3 **SEC. 408. POWERS OF COMMISSION.**

4 (a) HEARINGS AND EVIDENCE.—The Commission
5 may, for the purpose of carrying out this title, hold such
6 hearings in addition to the town hall style public hearings,
7 sit and act at such times and places, take such testimony,
8 and receive such evidence as the Commission considers ap-
9 propriate. The Commission may administer oaths or affir-
10 mations to witnesses appearing before it.

11 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
12 ber or agent of the Commission may, if authorized by the
13 Commission, take any action which the Commission is au-
14 thorized to take under this section.

15 (c) MAILS.—The Commission may use the United
16 States mails in the same manner and under the same con-
17 ditions as other departments and agencies of the United
18 States.

19 (d) ADMINISTRATIVE SUPPORT SERVICES.—Upon
20 the request of the Commission, the Administrator of Gen-
21 eral Services shall provide to the Commission, on a reim-
22 bursable basis, the administrative support services nec-
23 essary for the Commission to carry out its responsibilities
24 under this title.

1 (e) CONTRACT AUTHORITY.—To the extent provided
2 in advance in appropriation Acts, the Commission may
3 enter into contracts to enable the Commission to discharge
4 its duties under this title.

5 (f) GIFTS.—The Commission may accept, use, and
6 dispose of gifts or donations of services or property.

7 **SEC. 409. TERMINATION.**

8 The Commission shall terminate the earlier of—

9 (1) 60 days after submitting its legislative pro-
10 posal; or

11 (2) the date on which the Comptroller General
12 of the United States determines and publishes in the
13 Federal Register a statement that new legislation
14 has been enacted that is estimated to reduce the fis-
15 cal gap by—

16 (A) 1 percent of gross domestic product,
17 measured over the 20-year period beginning
18 with the first fiscal year after the date of enact-
19 ment of such legislation; and

20 (B) 2 percent of gross domestic product,
21 measured over the 50-year period beginning
22 with the first fiscal year after the date of enact-
23 ment of such legislation.

1 **SEC. 410. ALTERNATIVE LEGISLATIVE PROPOSAL OF PRESI-**
2 **DENT.**

3 The President may, not later than 90 calendar days
4 after the Commission submits its legislative proposal, sub-
5 mit to Congress an alternative to the legislative proposal
6 submitted by the Commission.

7 **SEC. 411. ALTERNATIVE LEGISLATIVE PROPOSAL FROM**
8 **THE COMMITTEE ON THE BUDGET.**

9 (a) FROM COMMITTEE.—The Committee on the
10 Budget of either House may, in consultation with the rel-
11 evant committees of their respective House and not later
12 than 90 calendar days after the Commission submits its
13 legislative proposal, have published in the Congressional
14 Record an alternative to the legislative proposal submitted
15 by the Commission.

16 (b) FROM RANKING MEMBER OF THE COMMITTEE.—
17 The ranking minority member of the Committee on the
18 Budget of either House may, not later than 90 calendar
19 days after the Commission submits its legislative proposal,
20 have published in the Congressional Record an alternative
21 to the legislative proposal submitted by the Commission.

22 **SEC. 412. CONSIDERATION OF LEGISLATION.**

23 (a) INTRODUCTION.—Not later than the fifth legisla-
24 tive day after the Commission submits its legislative pro-
25 posal, the majority leader of each House, or his designee,

1 shall introduce (by request) the legislation submitted by
2 the Commission.

3 (b) IN THE HOUSE OF REPRESENTATIVES.—

4 (1) PRIVILEGED CONSIDERATION.—In the
5 House of Representatives, the legislation shall be re-
6 ported to the Committee on the Budget, which shall
7 report the bill without substantive revision. If the
8 Committee on the Budget has not reported the legis-
9 lation before the expiration of the 90-day period de-
10 scribed in section 411, then—

11 (A) that committee shall be discharged
12 from consideration of the legislation;

13 (B) the legislation shall be placed on the
14 appropriate calendar; and

15 (C) a motion to proceed to the consider-
16 ation of the legislation shall be highly privileged
17 and shall not be debatable, and a motion to re-
18 consider the vote by which the motion is dis-
19 posed of shall not be in order.

20 (2) CONSIDERATION CONSISTENT WITH CON-
21 GRESSIONAL BUDGET ACT.—Consideration of such
22 legislation shall be pursuant to the procedures set
23 forth in paragraphs (2), (5), and (6) of section
24 305(a) of the Congressional Budget Act of 1974 to
25 the extent not inconsistent with this title.

1 (3) AMENDMENTS LIMITED.—

2 (A) IN GENERAL.—Except as provided in
3 subparagraph (B), an amendment to the legis-
4 lation may not be offered in the House of Rep-
5 resentatives.

6 (B) PERMITTED AMENDMENTS.—(i) Any
7 member may offer, as an amendment in the na-
8 ture of a substitute, the alternative legislative
9 proposal submitted by the President.

10 (ii) The chairman of the House Committee
11 on the Budget may offer, as an amendment in
12 the nature of a substitute, the alternative legis-
13 lative proposal published in the Congressional
14 Record by the House Committee on the Budget.

15 (iii) The ranking minority member of the
16 House Committee on the Budget may offer, as
17 an amendment in the nature of a substitute,
18 the alternative legislative proposal published in
19 the Congressional Record by such ranking mi-
20 nority member.

21 (C) POINT OF ORDER.—

22 (i) IN GENERAL.—An amendment of-
23 fered under subparagraph (B) is subject to
24 a point of order if—

1 (I) the amendment is not accom-
2 panied by a long-term CBO cost esti-
3 mate of the amendment or a long-
4 term revenue estimate of the amend-
5 ment, which includes the information
6 described in section 413, by the Joint
7 Committee on Taxation; or

8 (II) it would increase the deficit
9 or cause a deficit either for the period
10 of the first 20 fiscal years beginning
11 with the first fiscal year after the cur-
12 rent fiscal year or for the period of
13 the first 50 fiscal years beginning
14 with the first fiscal year after the cur-
15 rent fiscal year, as judged against the
16 baseline.

17 (ii) BASELINE.—For purposes of
18 clause (i)(II), the baseline shall be cal-
19 culated using the assumption that the leg-
20 islation submitted by the Commission has
21 been enacted into law, subject to the limi-
22 tation imposed by section 413(d).

23 (iii) WAIVER.—A point of order raised
24 under clause (i) may only be waived or sus-
25 pended in the House of Representatives by

1 a resolution devoted solely to the subject of
2 waiving that point of order.

3 (D) MULTIPLE AMENDMENTS.—If more
4 than one amendment is offered under this para-
5 graph, then each amendment shall be consid-
6 ered separately, and the amendment receiving
7 both a majority and the highest number of
8 votes shall be the amendment adopted.

9 (4) TRANSMITTAL TO THE SENATE.—If the leg-
10 islation passed in the House of Representatives pur-
11 suant to this section, the Clerk of the House of Rep-
12 resentatives shall cause the legislation to be en-
13 grossed, certified, and transmitted to the Senate not
14 later than 1 calendar day after the day on which the
15 legislation is passed. Such legislation shall be re-
16 ferred to the Senate Committee on the Budget.

17 (c) IN THE SENATE.—

18 (1) AUTOMATIC DISCHARGE OF SENATE BUDG-
19 ET COMMITTEE.—If the Senate Committee on the
20 Budget has not reported the legislation before the
21 expiration of the 90-day period described in section
22 411, then—

23 (A) the committee shall be discharged from
24 consideration of the legislation; and

1 (B) a motion to proceed to the consider-
2 ation of the legislation is highly privileged and
3 is not debatable.

4 (2) CONSIDERATION.—Consideration of such
5 legislation shall be pursuant to the procedures set
6 forth in paragraphs (1), (2), (5), and (6) of section
7 305(b) of the Congressional Budget Act of 1974 to
8 the extent not inconsistent with this title.

9 (3) AMENDMENTS LIMITED.—

10 (A) IN GENERAL.—Except as provided in
11 subparagraph (B), an amendment to the legis-
12 lation may not be offered in the Senate.

13 (B) PERMITTED AMENDMENTS.—(i) Any
14 member may offer, as an amendment in the na-
15 ture of a substitute, the alternative legislative
16 proposal submitted by the President.

17 (ii) The chairman of the Senate Committee
18 on the Budget may offer, as an amendment in
19 the nature of a substitute, the alternative legis-
20 lative proposal published in the Congressional
21 Record by the Senate Committee on the Budg-
22 et.

23 (iii) The ranking minority member of the
24 Senate Committee on the Budget may offer, as
25 an amendment in the nature of a substitute,

1 the alternative legislative proposal published in
2 the Congressional Record by such ranking mi-
3 nority member.

4 (C) POINT OF ORDER.—

5 (i) IN GENERAL.—An amendment of-
6 fered under subparagraph (B) is subject to
7 a point of order if—

8 (I) the amendment is not accom-
9 panied by a long-term CBO cost esti-
10 mate of the amendment or a long-
11 term revenue estimate of the amend-
12 ment, which includes the information
13 described in section 413, by the Joint
14 Committee on Taxation; or

15 (II) it would increase the deficit
16 or cause a deficit either for the period
17 of the first 20 fiscal years beginning
18 with the first fiscal year after the cur-
19 rent fiscal year or for the period of
20 the first 50 fiscal years beginning
21 with the first fiscal year after the cur-
22 rent fiscal year, as judged against the
23 baseline.

24 (ii) BASELINE.—For purposes of
25 clause (i)(II), the baseline shall be cal-

1 culated using the assumption that the leg-
2 islation submitted by the Commission has
3 been enacted into law, subject to the limi-
4 tation imposed by section 413(d).

5 (iii) WAIVER OF POINT OF ORDER.—

6 A point of order raised under clause (i)
7 may only be waived or suspended in the
8 Senate by an affirmative vote of $\frac{3}{5}$ of the
9 members duly chosen and sworn.

10 (D) MULTIPLE AMENDMENTS.—If more

11 than one amendment is offered under this para-
12 graph, then each amendment shall be consid-
13 ered separately, and the amendment receiving
14 both a majority and the highest number of
15 votes shall be the amendment adopted.

16 (d) PROHIBITION ON CONCURRENT CONSIDERATION
17 OF OTHER BUDGET-RELATED LEGISLATION.—

18 (1) IN GENERAL.—Until a bill or joint resolu-
19 tion considered pursuant to the procedures of this
20 section or a conference report thereon has been en-
21 rolled and presented to the President of the United
22 States, it shall not be in order in either the House
23 of Representatives or the Senate to consider any bill
24 or joint resolution, amendment or motion thereto, or
25 conference report thereon that—

1 (A) provides new budget authority for any
2 fiscal year;

3 (B) provides for an increase in outlays for
4 any fiscal year;

5 (C) provides a decrease in revenues during
6 any fiscal year; or

7 (D) provides an increase in the public debt
8 limit to become effective during any fiscal year.

9 Subparagraphs (A) through (D) shall be applied on
10 a provision-by-provision basis.

11 (2) EXCEPTIONS.—Paragraph (1) does not
12 apply—

13 (A) to any measure under consideration
14 prior to the introduction, in either House, of a
15 bill or joint resolution considered pursuant to
16 the procedures of this section;

17 (B) to any measure considered after a bill
18 or joint resolution considered pursuant to the
19 procedures of this section has been defeated in
20 either House; or

21 (C) to any general appropriation bill or
22 amendment thereto, but only to the extent of
23 discretionary new budget authority provided for
24 the budget year or for the first or second fiscal
25 year after the budget year.

1 (3) WAIVER.—

2 (A) HOUSE OF REPRESENTATIVES.—In the
3 House of Representatives, if a special rule is
4 considered that would waive points of order
5 pursuant to paragraph (1), a motion to strike
6 the provision waiving such points of order shall
7 be in order.

8 (B) SENATE.—In the Senate, a point of
9 order properly raised pursuant to paragraph (1)
10 shall be waived only by an affirmative vote of
11 $\frac{2}{3}$ of the members senators duly chosen and
12 sworn.

13 (e) APPLICATION OF CONGRESSIONAL BUDGET
14 ACT.—To the extent that they are relevant and not incon-
15 sistent with this title, the provisions of title III of the Con-
16 gressional Budget Act of 1974 shall apply in the House
17 of Representatives and the Senate to any bill or joint reso-
18 lution, any amendment thereto, and any conference report
19 thereon that is considered pursuant to this section.

20 (f) RULES OF SENATE AND HOUSE OF REPRESENTA-
21 TIVES.—This section is enacted by Congress—

22 (1) as an exercise of the rulemaking power of
23 the Senate and the House of Representatives, re-
24 spectively, and is deemed to be part of the rules of
25 each House, respectively, but applicable only with re-

1 spect to the procedure to be followed in that House
2 in the case of a bill introduced pursuant to this sec-
3 tion, and it supersedes other rules only to the extent
4 that it is inconsistent with such rules; and

5 (2) with full recognition of the constitutional
6 right of either House to change the rules (so far as
7 they relate to the procedure of that House) at any
8 time, in the same manner, and to the same extent
9 as in the case of any other rule of that House.

10 **SEC. 413. LONG-TERM CBO COST ESTIMATE.**

11 (a) PREPARATION AND SUBMISSION.—When the
12 Commission, the President, or the chairman or ranking
13 minority member of the Committee on the Budget of ei-
14 ther House submits a written request to the Director of
15 the Congressional Budget Office for a long-term CBO cost
16 estimate of legislation proposed under this title or an
17 amendment referred to in section 412(b)(3)(B) or section
18 412(c)(3)(B), the Director shall prepare the estimate and
19 have it published in the Congressional Record as expedi-
20 tiously as possible.

21 (b) CONTENT.—A long-term CBO cost estimate shall
22 include—

23 (1) an estimate of the cost of each provision (if
24 practicable) or group of provisions of the legislation
25 or amendment for first fiscal year it would take ef-

1 fect and for each of the 49 fiscal years thereafter;
2 and

3 (2) a statement of any estimated future costs
4 not reflected by the estimate described in paragraph
5 (1).

6 (c) FORM.—To the extent that a long-term CBO cost
7 estimate presented in dollars is impracticable, the Director
8 of the Congressional Budget Office may instead present
9 the estimate in terms of percentages of gross domestic
10 product, with rounding to the nearest $\frac{1}{10}$ of 1 percent
11 of gross domestic product.

12 (d) LIMITATIONS ON DISCRETIONARY SPENDING.—
13 A long-term CBO cost estimate shall only consider the ef-
14 fects of provisions affecting revenues and direct spending
15 (as defined by the Balanced Budget and Emergency Def-
16 icit Control Act of 1985), and shall not assume that any
17 changes in outlays will result from limitations on, or re-
18 ductions in, annual appropriations.

○