

117TH CONGRESS
1ST SESSION

S. 2723

To amend the Congressional Budget and Impoundment Control Act of 1974 by requiring a distribution analysis of a bill or resolution under certain circumstances, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2021

Ms. WARREN (for herself and Mr. BENNET) introduced the following bill;
which was read twice and referred to the Committee on the Budget

A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 by requiring a distribution analysis of a bill or resolution under certain circumstances, 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.**

4 This Act may be cited as the “Fiscal Analysis by In-

5 come and Race Scoring Act” or the “FAIR Scoring Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Wealth inequality is steadily rising in the
2 United States. As the disparities between the richest
3 Americans and the poorest Americans widen, White
4 Americans have grown disproportionately wealthier,
5 while the median wealth of Black Americans has
6 stagnated.

7 (2) In 1968, and with the amounts adjusted for
8 inflation, the median middle-class Black household
9 had \$6,674 in wealth, while the median middle-class
10 White household had \$70,786 in wealth. In 2016,
11 the typical middle-class Black household had
12 \$13,024 in wealth compared to \$149,703 for the
13 median White household.

14 (3) As of 2019, the typical White family has
15 eight times the wealth of the typical Black family
16 and five times the wealth of the typical Hispanic
17 family.

18 (4) As of 2019, White families have the highest
19 level of both median wealth: \$188,200. Black fami-
20 lies' median and mean wealth is less than 15 percent
21 that of White families, at \$24,100. Hispanic fami-
22 lies' median and mean wealth is \$36,100.

23 (5) As of 2019, families who are Asian, Amer-
24 ican Indian, Alaska Native, Native Hawaiian, or Pa-

1 cific Islander have lower wealth than White families,
2 but higher wealth than Black and Hispanic families.

3 (6) The family income gap between Black and
4 White Americans today remains at almost exactly
5 the level it was in the 1960s.

6 (7) In 2016, the median annual income for
7 Asian American adults was \$51,288, compared with
8 \$47,958 for White Americans, \$31,082 for African
9 Americans, and \$30,400 for Hispanic Americans.

10 (8) As of the last quarter of 2019, the median
11 White worker made 28 percent more than the typical
12 Black worker and more than 35 percent more than
13 the median Latinx worker.

14 (9) On average, women are paid 82 cents for
15 every dollar paid to men. For every dollar paid to
16 White men, Black women are paid 63 cents, Native
17 American women are paid 60 cents, and Latinas are
18 paid 55 cents.

19 (10) Asian American and Pacific Islander
20 (AAPI) women make 85 cents for every dollar paid
21 to White men, and different groups within America's
22 AAPI community have unique experiences with eco-
23 nomic discrimination. For example, between 2015
24 and 2019, Hmong women earned 60 cents for every
25 dollar paid to White men.

1 (11) Disparities in wealth between genders are
2 even more stark. As of 2013, the average wealth for
3 working single women was \$3,210, whereas the sin-
4 gle working man had a median wealth of \$10,150.
5 Single Black women had a median wealth of \$200,
6 and single Hispanic women had a median wealth of
7 \$100: less than a penny for every dollar of wealth
8 owned by single White non-Hispanic men.

9 (12) The COVID–19 pandemic has exacerbated
10 existing inequalities in America. Many longstanding
11 economic conditions, such as lower levels of income
12 and wealth and higher levels of housing and food in-
13 security, leave individuals of color, particularly
14 women of color and Black women, with less cushion,
15 making them more vulnerable during the COVID–19
16 economic crisis.

17 (13) Informed and well-designed policies are
18 needed to curb the growing inequality between
19 Americans of different races and income levels. In
20 order to meet this need, Congress needs access to
21 standardized, reliable information about the socio-
22 economic consequences of the legislation it enacts.

1 **SEC. 3. DISTRIBUTION ANALYSIS BY INCOME AND RACE.**

2 (a) CBO ESTIMATES.—Section 402 of the Congres-
3 sional Budget and Impoundment Control Act of 1974 (2
4 U.S.C. 653) is amended—

5 (1) in paragraph (2), by striking “and” at the
6 end;

7 (2) in paragraph (3), by striking the period at
8 the end and inserting “; and”;

9 (3) by adding after paragraph (3) the following:

10 “(4) for a bill or joint resolution that has a
11 gross budgetary effect of at least 0.1 percent of the
12 gross domestic product of the United States in any
13 fiscal year within the budget window—

14 “(A) a distribution analysis by income
15 showing the transfers that would result in dol-
16 lars and as a percent change in after-tax-and-
17 transfer income for as many years in the budg-
18 et as is necessary to illustrate the anticipated
19 effects; and

20 “(B) a distribution analysis by race show-
21 ing the transfers that would result in dollars
22 and as a percent change in after-tax-and-trans-
23 fer income for as many years in the budget as
24 is necessary to illustrate the anticipated ef-
25 fects.”; and

1 (4) in the text following paragraph (4) (as
2 added by paragraph (3) of this subsection) by strik-
3 ing “and description” and inserting “description,
4 and analyses”.

5 (b) JCT ESTIMATES.—Section 201(f) of the Con-
6 gressional Budget and Impoundment Control Act of 1974
7 (2 U.S.C. 601(f)) is amended to read as follows:

8 “(f) REVENUE LEGISLATION.—For the purposes of
9 revenue legislation which is income, estate and gift, excise,
10 and payroll taxes (i.e., Social Security), considered or en-
11 acted in any session of Congress, the Congressional Budg-
12 et Office shall use exclusively during that session of Con-
13 gress revenue estimates and distribution analyses provided
14 to it by the Joint Committee on Taxation. During that
15 session of Congress such revenue estimates and distribu-
16 tion analyses shall be transmitted by the Congressional
17 Budget Office to any committee of the House of Rep-
18 resentatives or the Senate requesting such estimates, and
19 shall be used by such Committees in determining such es-
20 timates. The Budget Committees of the Senate and House
21 shall determine all estimates with respect to scoring points
22 of order and with respect to the execution of the purposes
23 of this Act.”.

1 **SEC. 4. REPORT ON DISTRIBUTION ANALYSIS BY GENDER.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Director of the Congressional Budget Of-
4 fice shall—

5 (1) prepare a report describing methods appro-
6 priate for the conduct of distribution analyses by
7 gender for major legislation, including strengths and
8 weaknesses of different approaches; and

9 (2) submit such report to the chairs and rank-
10 ing members of the Committee on Finance of the
11 Senate and the Committee on Ways and Means of
12 the House of Representatives.

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