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proceeds of the auction to pay off a like amount of loans from the Treasury, injecting some cash into the Treasury's coffers. The Ex-Im Bank, along with a number of other similar agencies, is not subject to the federal debt ceiling. The proceeds of its borrowings are used to finance exports from the U.S.

Yesterday's order requiring commercial banks to deposit in Treasury accounts at the 12 Federal Reserve district banks all of the \$2.7 billion those commercial banks were holding for the Treasury as of Nov. 30 remains in force.

By excluding groups like the Bank from normal legislative/appropriations processes, we weaken the ability of the Congress to control expenditures and direct the Nation's economy.

In many ways this budget control bill before the House today is only the beginning of the effort to regain legislative control over the National Government's sprawling financial operations.

Mr. BROYHILL of North Carolina. Mr. Chairman, today we are debating H.R. 7130, the Budget Control and Impoundment Act of 1973. As one of the two House Members of the Joint Study Committee on Budget Control who represented a legislative committee rather than an appropriations or revenue committee, I think my perspective will be of some help to my colleagues in our deliberations on this legislation.

In my more than 10 years in Congress, I have been increasingly dismayed by the appropriations and budgetary process in Congress. As I am sure you are aware, this sense of dismay is shared by a great majority of our colleagues. The source of our concern lies, quite simply, in the procedural mechanics of the appropriations process. These mechanics do make it possible to reach legislatively wise and prudent decisions on individual programs before Congress. But these same mechanics make it exceedingly difficult to frame our decisions in terms of the larger and equally important context of the budget—and the direction of the Federal Government—as a whole.

Congress through the public debt ceiling limitation legislation of 1972 mandated the joint study committee to a thorough study of the budget process and to recommend legislation that would improve the appropriations process and improve congressional control over the budget. For the first few months of this year, the study committee diligently pursued these goals through hearings and formal and informal discussions. As a result of this work, the study committee, under the leadership of JAMIE WHITTEN and AL ULLMAN, introduced H.R. 7130. The Rules Committee has since spent many hours in individual work and in meeting with the members of the joint committee revising this legislation. In my opinion, this legislation not only fulfills the mandate given to us by our colleagues last October but, if passed, will represent one of the most significant pieces of legislation accomplished by this or any other Congress.

I do not make this statement lightly. One need only look at the facts to reach that conclusion.

The Federal budget—projected at \$267 billion for fiscal year 1974—now represents over 25 percent of the total

income of this Nation. The economic impact of the Federal budget, taken as a whole, probably has more impact on the life of the individual citizen and taxpayer than any program which we consider on the floor of Congress. Yet we make no effort to review the total budget and its implications for the American economy and the direction of general Government policy.

Since 1931, the Federal Government's budget has been in a deficit position in 37 years—over 85 percent of the time. In recent years, the deficit totals have become increasingly high. In the last 3 years, the Federal deficit has been increasing at the astronomical rate of \$2 billion a month. Very simply, America is fast approaching, if it has not already reached, a budget gone out of control.

Finally, the Federal budget in terms of programs and interests funded, has become increasingly complex. We live in an era which has pointed out many areas of need and legislative responsibility in this country. Within the last decade, poverty, the environment, energy, have all become significant focuses of national concern. In response, the Federal Government under Congress's direction has developed programs which were intended to meet those concerns. Without getting into a discussion of the pros and cons of the individual programs, it is worthwhile to note that the complexity of today's budget is a mirror of the many national priorities that America confronts and intends to solve. Yet there is no institutional arrangement in the budget process of the U.S. Congress which would facilitate the hard spending decision which we must make every day between competing priorities and programs. This lack of an institutional procedure for crucial priority decisions lends itself to a situation where the budget determines Congress direction rather than the natural and Constitutional order of Congress setting the direction of our national policy through a well thought out and comprehensive budget. In addition, the present arrangement promotes the partial funding of many programs rather than the selective and full funding of the most critical and beneficial programs. The end result of this is, quite frankly, a wasted taxpayer's dollar.

I am convinced that the Budget Control Act of 1973 is a positive and constructive alternative to the present situation. The other methods historically used by Congress to create a semblance of budget control are essentially negative or cosmetic options. As an example, the use of the expenditure ceiling, as pointed out in the Senate committee report on the 1972 public debt legislation, is clearly an unsatisfactory answer to budget control. While it does bind the executive branch to a specified expenditure limitation, it does not similarly bind Congress to appropriate funds consistent with that limitation. Quite simply, if Congress is to exercise its proper power in the fiscal affairs of this country, it must be prepared to assume the responsibilities incumbent with that power.

In its barest terms, H.R. 7130 sharpens the decisionmaking abilities of Congress.

Time and time again, witnesses before the joint study committee advanced one major thesis: these men, Members of Congress, past Members of Congress, Cabinet members, and noted academicians, all strongly noted that the major problem facing Congress in the budget process was a procedural problem. The present system operates in a half-real, half-fantasy world. Members are asked to vote for or against legislation on a piecemeal basis that fails to relate these programs and their funding levels to the interwoven questions of budget totals, taxes, and the economy at large. As a result, one week HEW appropriations is the most critical spending bill of the year, next week it is the Department of Defense and the next month, it is HUD appropriations that is the center of attention. By bringing together the budget and its complementary questions of tax revenue levels and the state of the economy, each Congressman will be in a better position to make the fiscal and legislative decisions that will serve the interest of this Nation and our individual constituencies.

I think that the Members of the House are all very aware of the provisions of H.R. 7130. However, I would caution the House against any attempts to weaken this legislation. If this legislation is to effectively fulfill its purpose, the budget ceilings must have strong procedural safeguards against the temptations of imprudent spending. The membership of this body expects a strong budget control bill and will not be satisfied with less.

Changing the appropriations rules of Congress is not a glamorous and exciting task. But if I read the people of the 10th District of North Carolina and all across this country correctly, they are looking to Congress for a better record in fiscal responsibility than they have been given in the past. I think that those Members of Congress who stand for fiscal responsibility, and this is a majority of them, agree with the conclusions of their constituencies and support the Budget Control Act as a key reform that will enable Congress to move forward with the task of better, more prudent government.

Mr. CLEVELAND. Mr. Chairman, as an advocate of structural reforms in Congress throughout my 11 years of service in this body, I rise in support of H.R. 7130. This landmark legislation will improve our ability to perform the responsibilities entrusted to us and to reverse the flow of power from Congress to the executive branch. Having observed many of my colleagues cordially contributing to the abdication of congressional prerogatives under previous administrations, I welcome their conversion to the cause of reasserting our constitutional powers.

I find it difficult to exaggerate the importance of this legislation. It has failed to engage the passionate interest of the press or the public, receiving much the same treatment as once was accorded the arcane subject of campaign reforms. This may be because it is regarded as mechanistic, procedural, with all the breathless urgency of a changeover in bookkeeping methods. But it also may

be that by its track record, the Congress has done little to encourage hopes for reforms that truly redress power imbalances in our Federal structure. Whatever the reason for the comparative lack of attention, change of major magnitude is at stake here. This legislation represents an opportunity to work fundamental changes in the workings of our National Government and restore Congress as a coequal branch as envisioned by the framers of the Constitution.

By equipping ourselves better to do our jobs, we in Congress will reduce the concentration of power in the executive, concentration of arbitrary power in the faceless bureaucracy which constitutes an open invitation to the abuses we deplore in Watergate. Having singled out the bad apples, we have an opportunity to go after some of the root causes.

LONG ADVOCACY OF REFORM

This is not a new concern on my part, as I have indicated. As far back as 1966, as chairman of the House Republican Task Force on Congressional Reform and Minority Staffing, I deplored the drift of power from representatives in the Congress to the executive departments downtown. More to the point, the section of our task force report, "We Propose: A Modern Congress," devoted to budgetary reform contained a number of recommendations to deal with problems addressed in this bill. They covered the need for improved budget information for Members, rescheduling of the budget process, reduction of the fixed commitments represented by backdoor spending, and the handling of programs on a functional rather than line-item basis.

These and other problems are addressed in this bill, which is intended to give us a comprehensive and coordinated grasp of spending programs, not only in relation to each other but also as they in combination relate to Federal revenues, the national debt, and a given budget's surplus or deficit. It provides a mechanism for setting priorities, which by definition means that some things come first and others do not. Furthermore, I am delighted that the bill combines in one measure the matters of restrictions against impoundments with internal budget discipline on the part of the Congress.

PRESENT SYSTEM, AN INVITATION TO VETOES

We must end the cycle of pie-in-the-sky authorizations too often based on the process of pulling figures out of the air, which dumps on the appropriations subcommittees the choice between ill-considered spending or confronting the public with the spectacle of Congress renegeing on its commitments.

Furthermore, I, for one, am tired of being placed in the position of voting for measures on their individual merits, only to be confronted later with the need to vote in the name of fiscal responsibility and curbing inflation to sustain vetoes of those same measures. In connection with those votes, I have frequently stated that the President has, by his vetoes, in effect been doing our job for us because of our own lack of restraint and because we authorize and appropriate in a piecemeal manner.

Hopefully, by seizing the power back from the executive branch, we are seizing the responsibility as well. I see a very clear parallel here between this area of reform and war powers legislation which seeks to fix on the Congress responsibility for both action and inaction by our military establishment in response to threats to our security. Under this budget reform legislation, the buck stops here more ways than one.

DISCIPLINE NEEDED

This bill increases our powers over the budget by giving us the same comprehensive view, as enjoyed by the administration, and an institutionalized mechanism to exercise this oversight function, over the entire budget in the process of fixing national priorities and policies. The provision of a budget committee in each House to set tentative and final budget targets, and hence a procedure to balance the outcome of the authorization and appropriation process against those levels, is an important mechanism for instilling internal discipline.

As a cosponsor of H.R. 9397, a similar reform measure, I was particularly pleased to see the composition of the budget committee broadened, as we proposed in that measure, to make the committee more representative of the House as a whole.

The prohibitor against selection of Budget Committee members on the basis of seniority, the limitation on members' service on it to 4 years out of any 10, and vesting of the powers of ratifying selections to the committee in the Democratic Caucus and the Republican Conference also should make for a more responsive committee.

The requirement that authorization and appropriation measures be evaluated in terms of over-all target figures by functional category is constructive. Of course, they are permissive, and I should have preferred to see a rule of consistency applied in the final adoption process. Yet this procedure represents such a large improvement over the current system that I find it acceptable.

BACKDOOR SPENDING CURB

Another virtue of the bill is its control over backdoor spending, dealing with the vast amounts expended outside the normal two-step authorization-appropriation procedure. In this connection, I also welcome the anti-impoundment provision's breadth in extending to all substantial deferrals of spending of available funds by the Executive. Earlier this year, I was shocked to find that after pulling and hauling and extensive compromise that went into the Water Pollution Control Act Amendments of 1972, which provided by the Environmental Protection Agency contract authority for waste water treatment, the funds for New England were being choked off under a so-called fiscal management device called obligatory goals. A hearing convened by my friend JIM WRIGHT, chairman of the Public Works Investigations Subcommittee, enabled us to get the funds released. But I submit that these procedures, however successful, should not be necessary once the Congress has expressed its will in legislation.

When amendments are put forth, I

wish to associate myself with the efforts of CHARLIE BENNETT, JACK KEMP, DEL CLAWSON, and KEN ROBINSON to provide for pilot testing of major expenditure programs in excess of \$100 million before they can be implemented nationwide. I also shall support their amendment providing for a 3-year limitation on authorizations and periodic congressional review of major expenditure programs in excess of that amount.

I also support the effort of JOHN ANDERSON and HENRY REUSS to build into the bill requirements that adequate information on the tax expenditure side be cranked into the decisionmaking process of budgeting.

Also meriting support is a proposal by Mr. ANDERSON that a resolution to terminate an impoundment action be passed by both the House and Senate. Finally, I will offer tomorrow my own amendment, to provide that one-third of the staff of the new Committee on the Budget be made available to the minority on that committee.

Mr. BOLLING, Mr. Chairman, we have no further requests for time.

The CHAIRMAN. All time has expired. Pursuant to the rule, the Clerk will now read by titles the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Short title; table of contents.

(a) SHORT TITLE.—This Act may be cited as the "Budget and Impoundment Control Act of 1973".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Rulemaking power of the House and Senate.

TITLE I—CONGRESSIONAL BUDGET CONTROL

PART 1—ESTABLISHMENT OF HOUSE AND SENATE BUDGET COMMITTEES

Sec. 111. Budget Committee of the House of Representatives.

PART 2—CONGRESSIONAL BUDGET

Sec. 121. Adoption of tentative congressional budget.

Sec. 122. Final determination of congressional budget.

Sec. 123. Congress must adopt and implement final concurrent resolution on the budget before adjourning.

Sec. 124. Consideration of concurrent budget resolutions to be expedited.

Sec. 125. Legislation dealing with congressional budget must be in form of concurrent budget resolution.

Sec. 126. Concurrent resolution on budget must be adopted before appropriations, and changes in revenues and public debt limit, are made.

Sec. 127. Conformance of bills with budget resolution.

Sec. 128. Projections and summaries of congressional budget actions.

PART 3—TIMETABLE AND PROCEDURE WITH RESPECT TO APPROPRIATION BILLS AND BUDGET RECONCILIATION BILL

Sec. 131. Committee action on all appropriation bills to be completed before first appropriation bill is reported.

Sec. 132. Action on all appropriation bills to be completed by August 1; bills to be held pending conformance.

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- Sec. 133. Budget reconciliation bill to be reported in certain cases.
 Sec. 134. Budget reconciliation bill to include tax measure in certain cases.

PART 4—IMPROVEMENTS IN FISCAL PROCEDURES

- Sec. 141. Limitations on new budget authority.
 Sec. 142. Limitations on spending authority.
 Sec. 143. Requirement of authorizing legislation before April 1.
 Sec. 144. Jurisdiction to report legislation rescinding budget authority.
 Sec. 145. Changes in functional categories.
 Sec. 146. Amendments to Budget and Accounting Act.

PART 5—CHANGE IN FISCAL YEAR

- Sec. 151. Fiscal year to commence October 1.
 Sec. 152. Transition.

PART 6—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 161. Amendments to House Rules.
 Sec. 162. Amendments to Legislative Reorganization Act of 1946.
 Sec. 163. Amendments to Legislative Reorganization Act of 1970.

PART 7—LEGISLATIVE BUDGET OFFICE; DIRECTOR AND STAFF

- Sec. 171. Legislative Budget Director; staff.
 Sec. 172. Power to obtain data.
 Sec. 173. Projections of budget outlays.

PART 8—EFFECTIVE DATE

- Sec. 181. Effective date for budget procedures.

TITLE II—IMPOUNDMENT CONTROL

- Sec. 201. Transmission of special messages by President.
 Sec. 202. Disapproval of impoundments by House or Senate.
 Sec. 203. Definition of impoundment.
 Sec. 204. Congressional procedures.
 Sec. 205. Reports of impoundments by Comptroller General.
 Sec. 206. Suits by Comptroller General to enforce controls.
 Sec. 207. Repeal of existing impoundment reporting provision.
 Sec. 208. Disclaimer.
 Sec. 2. Definitions.

For purposes of this Act (and the amendments made by this Act)—

(1) the term "budget outlays" means, with respect to any fiscal year or period, expenditures and net lending of funds under budget authority during each year or period;

(2) the term "budget authority" means authority provided by law to enter into obligations which will result in immediate or future outlays involving Government funds;

(3) the term "concurrent resolution on the budget" means—

(A) a concurrent resolution setting forth the tentative congressional budget for the United States Government for a fiscal year, as provided in section 121,

(B) a concurrent resolution reaffirming or revising the tentative congressional budget for the United States Government for a fiscal year, as provided in section 122, and

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

- Sec. 3. Rulemaking power of the House and Senate.

The provisions of parts 1 through 4 and 6 of title I, and the provisions of section 204, are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

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

TITLE I—CONGRESSIONAL BUDGET CONTROL

PART 1—ESTABLISHMENT OF HOUSE AND SENATE BUDGET COMMITTEES

- Sec. 111. Budget Committee of the House of Representatives.

(e) Clause 1 of Rule X of the Rules of the House of Representatives is amended by redesignating paragraphs (e) through (v), inclusive, as paragraphs (f) through (v), respectively, and by inserting after paragraph (d) the following new paragraph:

"(e) Committee on the Budget, to consist of twenty-three Members as follows:

"(1) five Members who are members of the Committee on Appropriations;

"(2) five Members who are members of the Committee on Ways and Means;

"(3) eleven Members who are members of other standing committees;

"(4) one Member from the leadership of the majority party; and

"(5) one Member from the leadership of the minority party.

No member shall serve as a member of the Committee on the Budget during more than two Congresses in any period of five successive Congresses beginning after 1973 (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress). All selections of Members to serve on the committee shall be made without regard to seniority."

(b) Rule X of the Rules of the House of Representatives is amended by adding at the end thereof the following new clause:

"6. For carrying out the purposes set forth in clause 5 of Rule XI, the Committee on the Budget or any subcommittee thereof is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records, as it deems necessary. Subpoenas may be issued over the signature of the chairman of the committee or of any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee, or any member thereof, may administer oaths to witnesses."

(c) Rule XI of the Rules of the House of Representatives is amended by redesignating clauses 5 through 33 as clauses 6 through 34, respectively, and by inserting after clause 4 the following new clause:

"5. Committee on the budget

"(a) The establishment of an appropriate level of total budget outlays, and an appropriate level of total new budget authority, of the United States Government.

"(b) The determination of appropriate overall level of Federal revenues, and the appropriate overall level of the public debt of the United States, to be associated with the budget outlay level referred to in paragraph (a).

"(c) The determination of the appropriate level of surplus or deficit in the budget in the light of economic conditions and such other factors as may be relevant to that determination.

"(d) The committee shall have the duty—

"(1) to report during each regular session of Congress at least two concurrent resolutions dealing with the matters specified in paragraphs (a), (b), and (c), and

"(2) to make continuing studies of the

effect on budget outlays of existing and proposed legislation and to report the results of such studies to the House on a recurring basis."

PART 2—CONGRESSIONAL BUDGET

- Sec. 121. Adoption of tentative congressional budget.

(a) ACTION TO BE COMPLETED BY MAY 1.—On or before May 1 of each calendar year, the Congress shall complete action on a concurrent resolution setting forth the tentative congressional budget for the United States Government for the fiscal year beginning in that calendar year.

(b) MATTERS REQUIRED TO BE SET FORTH IN CONCURRENT RESOLUTION.—The concurrent resolution referred to in subsection (a) shall set forth, for the fiscal year concerned—

(1) the appropriate level of total budget outlays and the appropriate level of total new budget authority,

(2) the appropriate level of budget outlays and new budget authority allocated by functional categories (as set out in the United States Budget),

(3) the appropriate overall level of Federal revenues, and the appropriate overall level of the public debt of the United States, to be associated with the level of budget outlays for the fiscal year.

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

(5) such other matters relating to the budget as may be appropriate to carry out the purposes of this Act.

(c) VIEWS AND RECOMMENDATIONS OF OTHER COMMITTEES.—Before March 1 of each year, the Committees on Appropriations and Ways and Means of the House of Representatives shall submit their views and recommendations to the Committee on the Budget of the House, the Committees on Appropriations and Finance of the Senate shall submit their views and recommendations to the Committee on the Budget of the Senate, and the Joint Economic Committee and the Joint Committee on Internal Revenue Taxation shall submit their views and recommendations to the Committees on the Budget of the House and Senate, with respect to all matters set forth in subsection (b) which relate to matters within the respective jurisdictions or functions of such committees and joint committees. Any other committee of the House of Representatives or the Senate may submit to the Committee on the Budget of its House, and any other joint committee of the Congress may submit to the Committees on the Budget of the House and Senate, its views and estimates with respect to all matters set forth in subsection (b) which relate to matters within its jurisdiction or function.

(d) HEARINGS.—

(1) In developing the concurrent resolution referred to in subsection (a) (or the concurrent resolution referred to in section 122(a)), the Committee on the Budget of the House or the House or the Committee on the Budget of the Senate shall hold hearings for the purpose of considering matters required to be set forth in such resolution.

(2) In holding hearings pursuant to paragraph (1), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, appropriate officials of other Federal departments and agencies, and such representatives of national organizations which have made special studies of Federal programs and expenditures and their impacts as the committee may desire.

(3) Hearings pursuant to paragraph (1), or any part thereof, may be held by the Committee on the Budget of either House jointly with the Committee on Appropria-

tions of that House in accordance with such procedures as the two committees may jointly determine.

(e) **INFORMATION CONCERNING DERIVATION OF BUDGET FIGURES.**—In its report accompanying a concurrent resolution on the budget, the Committee on the Budget of the House or the Committee on the Budget of the Senate shall include information and data indicating the manner in which, it arrived at the levels and figures set forth in such resolution.

Sec. 122. Final determination of congressional budget.

(a) **IN GENERAL.**—On or before September 15 each year, the Congress shall complete action on a concurrent resolution which reaffirms or revises the tentative congressional budget for the United States Government adopted pursuant to section 121 for the fiscal year beginning on October 1.

(b) **NATURE OF FINAL DETERMINATION.**—The concurrent resolution described in subsection (a) shall call for such action or actions as may be required to establish and implement (as provided in sections 133 and 134) the appropriate level of budget outlays and new budget authority, and the appropriate overall level of Federal revenues and the public debt, for the fiscal year. Such concurrent resolution, and any action called for by such resolution, shall take account of the actions previously taken by the Congress during the fiscal year in enacting appropriations or otherwise providing new budget authority. For this purpose such concurrent resolution may—

(1) call for the rescission or amendment of appropriations, and direct that legislation to implement such rescission or amendment be reported by the Committees on Appropriations of the House of Representatives and the Senate;

(2) call for adjustments in tax rates and provisions relating thereto, or for adjustments in the limit on the public debt, or both, and direct that legislation to implement such adjustments be reported by the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate; or

(3) call for any combination of the actions described in paragraphs (1) and (2).

(c) **PERMISSIBLE REVISIONS.**—At any time after the concurrent resolution described in subsection (a) has been adopted for any fiscal year, and before the close of such fiscal year, the Congress may adopt a concurrent resolution which revises the congressional budget for the United States Government most recently adopted for that fiscal year; and the provisions of this part shall apply with respect to any concurrent resolution adopted pursuant to this subsection as though it were a concurrent resolution described in subsection (a).

Sec. 123. Congress must adopt and implement final concurrent resolution on the budget before adjourning.

It shall not be in order in either the House of Representatives or the Senate to consider any resolution providing for the sine die adjournment of any regular session of the Congress unless the Congress theretofore during such session has adopted a concurrent resolution on the budget described in section 122, and, if legislation is needed to implement such resolution, has enacted such legislation.

Sec. 124. Consideration of concurrent budget resolutions to be expedited.

(a) **REFERENCE OF RESOLUTIONS TO COMMITTEE.**—All concurrent resolutions on the budget shall be referred to the Committee on the Budget of the House of Representatives or the Committee on the Budget of the Senate, as the case may be.

(b) **PROCEDURE IN HOUSE OF REPRESENTATIVES AFTER REPORT OF COMMITTEE; DEBATE.**—

(1) When the Committee on the Budget of the House has reported any concurrent

resolution on the budget, it is in order at any time after the fifth day following the day on which such resolution was reported (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the concurrent resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) General debate on any concurrent resolution on the budget in the House of Representatives shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the concurrent resolution is not in order, and it is not in order to move to reconsider the vote by which the concurrent resolution is agreed to or disagreed to.

(3) Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be read for amendment under the five-minute rule in accordance with the applicable provisions of rule XXIII of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to consider and adopt one amendment changing the level of total budget outlays, the level of total new budget authority, or the appropriate amount of the surplus or deficit in the budget, as set forth (pursuant to section 121(b) (1) or (4)) in the resolution as so reported, or any combination thereof, to the extent necessary to achieve mathematical consistency.

(4) Debate in the House of Representatives on the conference report on any concurrent resolution on the budget shall be limited to not more than 5 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(5) Motions to postpone, made with respect to the consideration of any concurrent resolution on the budget and motions to proceed to the consideration of other business, shall be decided without debate.

(6) Appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any concurrent resolution on the budget shall be decided without debate.

(c) **SENATE MAY PROCEED CONCURRENTLY, BUT FINAL ACTION MUST BE ON HOUSE BUDGET RESOLUTION.**—

(1) If, before the passage by the Senate of a budget resolution of the Senate, the Senate receives from the House of Representatives a budget resolution of the House, then, except as provided in paragraph (2), the procedure with respect to the budget resolution of the Senate shall be the same as if no budget resolution from the House of Representatives had been received.

(2) On any vote on final passage of any budget resolution of the Senate, the budget resolution of the House of Representatives shall be automatically substituted.

Sec. 125. Legislation dealing with congressional budget must be in form of concurrent budget resolution.

No measure or proposal dealing with any matter which is within the jurisdiction of the Committee on the Budget of either House, and no amendment to any such measure or proposal, shall be considered in that

House unless it is in the form of a concurrent resolution on the budget which has been reported by the Committee on the Budget of that House (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a concurrent resolution.

Sec. 126. Concurrent resolution on budget must be adopted before appropriations, and changes in revenues and public debt limit, are made.

(a) **IN GENERAL.**—It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution (or amendment thereto) which provides—

(1) new budget authority for a fiscal year,

(2) an increase or decrease in revenues to be effective during a fiscal year, or

(3) an increase or decrease in the public debt limit to become effective during a fiscal year,

until the concurrent resolution on the budget for such year referred to in section 121 has been adopted by the Congress.

(b) **EXCEPTION.**—Subsection (a) shall not apply to new budget authority which first become available in a fiscal year following the fiscal year to which the concurrent resolution applies.

Sec. 127. Conformance of bills with budget resolution.

Appropriation bills or bills involving a trust fund as described in section 142(c) (2) (A) shall be held, and not enrolled or sent to the President, pending conformance with the final concurrent resolution on the budget and (if necessary) enactment of the budget reconciliation bill, except in the case of a bill which contains new budget authority, and budget outlays resulting therefrom, that are not in excess of the new budget authority and budget outlays provided therefor in the related functional categories in the most recently adopted concurrent resolution on the budget.

Sec. 128. Projections and summaries of congressional budget actions

(a) **REPORTS ON LEGISLATION PROVIDING NEW BUDGET AUTHORITY.**—Whenever a committee of either House reports a bill or resolution providing new budget authority, for a fiscal year, the report accompanying that bill or resolution shall contain a projection prepared in consultation with the Legislative Budget Director of the budget outlays which will result from that bill or resolution in such fiscal year and in each of the four succeeding fiscal years.

(b) **UP-TO-DATE TABULATION OF CONGRESSIONAL BUDGET ACTIONS.**—The Legislative Budget Director shall issue periodic reports detailing and tabulating the progress of Congressional action on legislation providing new budget authority, including up-to-date status reports on all new budget authority legislation in both Houses and a comparison of such legislation with the functional categories set forth in the most recently adopted concurrent resolution on the budget.

(c) **FIVE-YEAR PROJECTION OF CONGRESSIONAL BUDGET ACTION.**—As soon as possible after the beginning of each fiscal year, the Legislative Budget Director shall issue a report projecting for the period of five fiscal years beginning with such fiscal year—

(1) total budget outlays and new budget authority for each fiscal year in such period, and

(2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period.

PART 3—TIMETABLE AND PROCEDURE WITH RESPECT TO APPROPRIATION BILLS AND BUDGET RECONCILIATION BILL

Prior to the reporting of the first annual appropriation bill the House Committee on Appropriations shall complete subcommittee markup and full committee action on each of

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the annual appropriation bills and submit to the House a summary report comparing the committee's recommendations with the appropriate levels of budget outlays and new budget authority as set forth in the budget resolution.

Sec. 131. Committee action on all appropriation bills to be completed before first appropriation bill is reported.

Sec. 132. Action on all appropriation bills to be completed by August 1; bills to be held pending conformance.

On or before August 1 of each year the Congress shall complete action on all annual appropriation bills which shall be held by the Congress, except as provided in section 127, pending conformance with the final budget resolution and enactment of any required budget reconciliation bill.

Sec. 133. Budget reconciliation bill to be reported in certain cases.

If the total budget authority authorized by the annual appropriation bills exceeds the appropriate level of new budget authority adopted in the final budget resolution or will result in total budget outlays in excess of that established in the final budget resolution, the House Committee on Appropriations (in accordance with section 122(b)) shall report a budget reconciliation bill containing such rescissions or amendments to the appropriations bills as are required to conform with the budget authority and budget outlay totals of the final budget resolution.

Sec. 134. Budget reconciliation bill to include tax measure in certain cases.

If the estimate of aggregate revenues of the United States for the fiscal year is less than the appropriate overall level of Federal revenues, as set forth in the final budget resolution, the Committee on Ways and Means (in accordance with section 122(b)) shall report as a separate title in the budget reconciliation bill a tax measure which, for the 12-month period which begins on January 1 which occurs in the fiscal year in question, will raise an amount of additional revenue approximately equal to that required to be raised to provide the appropriate overall level of Federal revenues set forth in the final budget resolution.

PART 4—IMPROVEMENTS IN FISCAL PROCEDURES

Sec. 141. Limitation on new budget authority.

(a) General Rule.—Beginning with the first session of the 94th Congress, it shall not be in order in either House to consider any bill or resolution which provides new budget authority unless such bill or resolution has been reported by the Committee on Appropriations of that House.

(b) Exception.—Subsection (a) shall not apply to any bill or resolution to the extent that the new budget authority involves outlays described in section 142(c)(2).

Sec. 142. Limitations on spending authority.

(a) Legislation Providing New Spending Authority Subject to Point of Order.—Beginning with the first session of the Ninety-fourth Congress, it shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution which provides new spending authority (or any amendment which provides new spending authority) unless such bill or resolution, or such amendment, also provides that such spending authority is to be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts enacted after the enactment of such bill or resolution.

(b) LIMITATION ON EXERCISE OF EXISTING SPENDING AUTHORITY.—Notwithstanding any

other provision of law, on and after October 1, 1978, no officer or agency of the United States shall exercise any spending authority enacted prior to that date and in effect on September 30, 1978, except to such extent and in such amounts as are provided in appropriation Acts enacted after the enactment of this Act.

(c) SPENDING AUTHORITY DEFINED.—For purposes of this section—

(1) SPENDING AUTHORITY.—Except as provided in paragraph (2), the term "spending authority" means authority provided by law, whether on a temporary or permanent basis—

(A) to enter into contracts under which the United States is obligated to make budget outlays and which have not been provided for in advance by appropriation Acts,

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

(C) to make payments (including loans and grants) which have not been provided for in advance by appropriation Acts, to any person or government, if, under the provisions of the law containing such authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by such law, and

(D) to obligate the United States to make budget outlays by any other means which have not been provided for in advance by appropriation Acts.

(2) EXCEPTIONS.—The term "spending authority" does not include any authority described in paragraph (1) to the extent that—

(A) the budget authority made available for obligations, and outlays resulting therefrom, incurred under the law containing such authority is derived from a trust fund consisting of amounts equivalent to amounts of taxes (related to the purposes for which such outlays are made) received in the Treasury under specified provisions of the Internal Revenue Code of 1954;

(B) the budget outlays resulting therefrom consist of expenditures under a Federal insurance or guaranty program established by a law of the United States and in effect on the date of the enactment of this Act;

(C) the budget outlays resulting therefrom are made by an organization which is

(i) a mixed-ownership Government corporation (as defined in section 201 of the Government Corporation Control Act), or (ii) a wholly owned Government corporation (as defined in section 101 of such Act) which is specifically exempted by law from compliance with any or all of the provisions of that Act; or

(D) the budget outlays resulting therefrom consist exclusively of the proceeds of gifts or bequests made to the United States for a specific purpose.

Sec. 143. Requirement of authorizing legislation before April 1.

(a) LEGISLATION SUBJECT TO POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order to consider any bill or resolution (or conference report thereon) authorizing the enactment of new budget authority for any fiscal year after March 31 of the calendar year in which such fiscal year begins.

(b) EMERGENCY WAIVER.—If the Committee on Rules of the House of Representatives determines that emergency conditions require a waiver of subsection (a) with respect to any bill, resolution, or conference report, such committee may report, and the House may consider and adopt, a resolution waiving the application of subsection (a) in the case of such bill, resolution, or conference report.

Sec. 144. Jurisdiction to report legislation rescinding budget authority.

Paragraph (a) of clause 2 of Rule XI of the Rules of the House of Representatives is amended by inserting immediately before the period at the end thereof the following: ", and the rescission of appropriations".

Sec. 145. Changes in functional categories.

Any change in the functional categories set out in the United States Budget shall be made only in consultation between the Office of Management and Budget and the Committees on the Budget of the House and Senate.

Sec. 146. Amendments to Budget and Accounting Act.

(a) PRESIDENTIAL BUDGET TO INCLUDE TAX EXPENDITURES.—Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by adding at the end thereof the following new subsection:

"(d) The Budget transmitted pursuant to subsection (a) for each fiscal year shall set forth the amounts of revenue losses attributable to provisions of the Federal tax laws which allow an exclusion or deduction from gross income or which provide a preferential rate of tax or a deferral of tax liability (commonly referred to as 'tax expenditures')."

(b) FIVE-YEAR BUDGET PROJECTIONS.—Section 201(a) of such Act (31 U.S.C. 11) is amended—

(1) by inserting after "ensuing fiscal year" in paragraph (5) "and projections for the four fiscal years immediately following the ensuing fiscal year";

(2) by striking out "such year" in paragraph (5) and inserting in lieu thereof "such years"; and

(3) by inserting after "ensuing fiscal year" in paragraph (6) "and projections for the four fiscal years immediately following the ensuing fiscal year".

PART 5—CHANGE IN FISCAL YEAR

Sec. 151. Fiscal year to commence October 1.

(a) IN GENERAL.—Effective with the calendar year 1975, the fiscal year of all departments, agencies and instrumentalities of the Federal Government and the government of the District of Columbia shall begin on the first day of October of each year.

(b) CONFORMING PROVISIONS.—

(1) Effective with the calendar year 1975, section 237 of the Revised Statutes (31 U.S.C. 1020) is amended by striking out "July" each place it appears and inserting in lieu thereof "October".

(2) Notwithstanding section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), or any other provision of law, the budget which the President transmits for the fiscal year beginning July 1, 1974, shall cover the period beginning July 1 of such year and ending September 30, 1975.

(3) Any law, regulation, or order which refers or applies to a fiscal year beginning in any calendar year after 1974 (whether or not such law, regulation, or order specifies the beginning or ending date of the fiscal year) shall be deemed to refer or apply to the fiscal year (beginning in such calendar year) as prescribed by subsection (a).

Sec. 152. Transition.

The Director of the Office of Management and Budget shall provide by regulation, order, or otherwise for the orderly transition by all departments, agencies, and instrumentalities of the Federal Government and the government of the District of Columbia from the use of the fiscal year in effect on the date of enactment of this Act to the use of the new fiscal year prescribed by section 151(a). The Director shall prepare and submit to the Congress a draft or drafts of such additional legislation as he considers necessary to accomplish this objective.

PART 6—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 161. Amendments to House rules.

(a) Rule XI of the Rules of the House of Representatives (as amended by section 111 (c) of this Act) is amended by inserting immediately after clause 22 the following new clause:

"22A. The respective areas of legislative jurisdiction under this rule are modified by title I of the Budget and Impoundment Control Act of 1973."

(b) Paragraph (c) of clause 29 of Rule XI of the Rules of the House of Representatives (as redesignated by section 111(c) of this Act) is amended by inserting "the Committee on the Budget," immediately after "the Committee on Appropriations."

(c) Subparagraph (5) of paragraph (a) of clause 30 of Rule XI of the Rules of the House of Representatives (as so redesignated) is amended by inserting "and the Committee on the Budget" immediately before the period at the end thereof.

(d) Subparagraph (4) of paragraph (b) of clause 30 of Rule XI of the Rules of the House of Representatives (as so redesignated) is amended by inserting "and the Committee on the Budget" immediately before the period at the end thereof.

(e) Clause 32 of Rule XI of the Rules of the House of Representatives (as so redesignated) is amended by inserting "the Committee on the Budget" immediately after "the Committee on Appropriations."

(f) Paragraph (a) of clause 33 of Rule XI of the Rules of the House of Representatives (as so redesignated) is amended by inserting "and the Committee on the Budget" immediately after "the Committee on Appropriations."

Sec. 162. Amendments to Legislative Reorganization Act of 1946.

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

(1) by inserting "and the Committee on the Budget" after "Appropriations" in subsections (d) and (f), and

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

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

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

(d) Section 136(c) of such Act (2 U.S.C. 190d(c)) is amended by striking out "Committee on Appropriations of the Senate and the Committees on Appropriations," and inserting in lieu thereof "Committees on Appropriations and the Budget of the Senate and the Committees on Appropriations, the Budget."

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

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

Sec. 163. Amendments to Legislative Reorganization Act of 1970.

(a) Section 232 of the Legislative Reorganization Act of 1970 (31 U.S.C. 1172) is amended by renumbering paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) the Committees on the Budget of the House and Senate."

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

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

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

"(b) The provisions of subsection (a) shall also apply to the Committee on the Budget of the Senate."

PART 7—LEGISLATIVE BUDGET OFFICE; DIRECTOR AND STAFF

Sec. 171. Legislative Budget Director; staff.

(a) To assist the Committee on the Budget of the House of Representatives and the Committee on the Budget of the Senate, there shall be within the legislative branch of the Government a Legislative Budget Office, headed by a Legislative Budget Director. The Legislative Budget Director shall be appointed by the Speaker of the House of Representatives upon the recommendation of the Committee on the Budget of the House of Representatives, without regard to political affiliation and solely on the basis of fitness to perform his duties. He shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule in section 5314 of title 5, United States Code.

(b) With the approval of the Chairman of the Committee on the Budget of each House, the Legislative Budget Director may—

(1) appoint, without regard to political affiliation and solely on the basis of fitness to perform their duties, such professional, technical, clerical, and other personnel as may be necessary to carry out the purposes of this Act,

(2) prescribe their duties and responsibilities,

(3) fix their pay, and

(4) terminate their employment.

(c) In carrying out its functions under this Act, the Legislative Budget Office may utilize the services, information, facilities, and personnel of the departments and establishments of the Government, and may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or in the case of individual experts or consultants by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary traveltime.

(d) There are authorized to be appropriated, for the fiscal year ending June 30, 1974, and each fiscal year thereafter, such sums as may be necessary to enable the Legislative Budget Office to carry out its functions and duties under this Act. Until sums are first appropriated to the Office pursuant to the preceding sentence, the expenses of the Office shall be paid from the contingent fund of the House of Representatives, upon vouchers approved by the Director.

(e) For purposes of pay and employment benefits, rights, and privileges, the employees of the Office shall be deemed to be employees of the House of Representatives.

Sec. 172. Power to obtain data.

(a) SECURING OF DATA.—The Legislative Budget Director, with the approval of the chairman of the Committee on the Budget of the House of Representatives or the Senate, is authorized to secure directly from any executive department, office, board, bureau, agency, independent establishment, or instrumentality of the Government any information, data, estimates, and statistics relating to the functions of the Legislative Budget Office.

(b) FURNISHING OF DATA.—Executive departments, offices, boards, bureaus, agencies, independent establishments, and instru-

mentalities are authorized and directed (notwithstanding section 206 of the Budget and Accounting Act, 1921) to furnish such information, data, estimates, and statistics directly to the Legislative Budget Director, upon request made pursuant to this section. Sec. 173. Projections of budget outlays.

The Legislative Budget Office shall develop for the Committees on the Budget of the House and Senate, and for other committees of the House and Senate upon their request, information with respect to existing and proposed legislation (whether authorizing or appropriation or similar legislation) which will form the basis of estimating the effect on budget outlays of such legislation not only on the current fiscal year but also for the next four fiscal years. Any information and data readily available in the files of the Legislative Budget Office, and related technical assistance, may be furnished upon request to committees and Members of the House or Senate.

PART 8—EFFECTIVE DATE

Sec. 181. Effective date for budget procedures.

Parts 2, 3, and 4 of this title, and part 6 of this title to the extent that it relates to parts 2, 3, and 4, shall apply (except as otherwise specifically provided) only with respect to the fiscal year beginning October 1, 1975, and succeeding fiscal years.

Mr. BOLLING (during the reading). Mr. Chairman, I ask unanimous consent that title I may be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Chairman, I move that the Committee do now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. UNALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7130) to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a Legislative Budget Director and staff, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORT ON THE NOMINATION OF THE GENTLEMAN FROM MICHIGAN, MR. GERALD R. FORD, FOR VICE PRESIDENT

Mr. SARBANES. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file its report on the nomination of the gentleman from Michigan (Mr. GERALD R. FORD) to be Vice President.

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there might be, but we would have in public and bringing out in one resolution a reconciliation that would provide for the level of spending, level of taxation, and the way in which if there were a gap that would be funded, either by a debt increase or by a tax increase. If the resolution provided for a tax increase, then the mandate to the Committee on Ways and Means to come up with that amount of money in whatever way they recommended would be operable.

I hope I have not added to the gentleman's confusion. I have tried to clarify it.

The CHAIRMAN. The time of the gentleman from Louisiana has expired. (By unanimous consent, Mr. WAGGONNER was allowed to proceed for 3 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, no, the gentleman has not confused me but he has discouraged me. As I understand it, the joint committee would make a recommendation then to the House Committee on Ways and Means as to how much increase would be needed if a tax increase was to be employed. If the combination for example, say, of the tax increase and the debt ceiling was employed to compensate for that larger-than-anticipated deficit was to be used, then the Ways and Means Committee would report the tax increase for that amount. Is that correct?

Mr. BOLLING. That is correct.

Mr. WAGGONNER. I am constrained to say that this is not going to do anything to make this body responsible, in my personal opinion, because we are not controlling expenditures. We will be using all the devices we use now to keep spending.

I hope I am wrong, and that there will be some restraint in the Congress to cause Congress to reduce expenditures; but I cannot help believing with the track record of Congress having been what it is that we are going to do anything but go ahead and just keep increasing spending and the debt ceiling. That is where we are headed I believe and I hope I am wrong. This Congress does not have the courage to balance expenditures with revenues. That is our problem now.

TITLE II—IMPOUNDMENT CONTROL
SEC. 201. TRANSMISSION OF SPECIAL MESSAGES BY PRESIDENT.

(a) IN GENERAL.—Whenever the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States, or any officer or employee of the United States impounds any budget authority authorized or made available for a specific purpose or project, or orders, permits, or approves the impounding of any such budget authority by any other officer or employee of the United States, the President shall, within ten days thereafter, transmit to the House of Representatives and the Senate a special message specifying—

- (1) the amount of the budget authority impounded;
- (2) the date on which the budget authority was ordered to be impounded;
- (3) the date the budget authority was impounded;
- (4) any account, department, or establishment of the Government to which such impounded budget authority would have been available for obligation except for such impoundment, and the specific projects or governmental functions involved;
- (5) the period of time during which the budget authority is to be impounded;
- (6) the reasons for the impoundment, including any legal authority invoked by him to justify the impoundment;
- (7) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the impoundment; and

(8) all facts, circumstances, and considerations relating to or bearing upon the impoundment and the decision to effect the impoundment, including an analysis of such facts, circumstances, and considerations in terms of their application to any legal authority and specific elements of legal authority invoked by him to justify such impoundment, and to the maximum extent practicable, the estimated effect of such impoundment upon the objects, purposes, and programs for which the budget authority was provided.

(b) DELIVERY TO HOUSE AND SENATE.—Each special message submitted pursuant to subsection (a) shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate; and each such message shall

printed as provided in subsection (b); and the Comptroller General shall promptly notify the House of Representatives and the Senate of any changes in the information submitted by him under subsection (c) which may be necessitated by such revision.

(e) PRINTING.—Any special or supplementary message transmitted pursuant to this section shall be printed in the first issue of the Federal Register published after such transmittal.

(f) PUBLICATION OF IMPOUNDMENTS.—The President shall publish in the Federal Register, each month a list of any budget authority impounded as of the first calendar day of that month. Each such list shall be published no later than the tenth calendar day of the month and shall contain the information required to be submitted by special message pursuant to subsection (a).

SEC. 202. DISAPPROVAL OF IMPOUNDMENTS BY HOUSE OR SENATE.

Any impoundment of budget authority set forth in a special message transmitted pursuant to section 201 shall cease if within sixty calendar days of continuous session after the date on which the message is received by the Congress the specific impoundment shall have been disapproved by either House of Congress by passage of a resolution in accordance with the procedure set out in section 204. The effect of such disapproval shall be to require an immediate end to the impoundment.

SEC. 203. DEFINITION OF IMPOUNDMENT.

For purposes of this title, the impounding of budget authority includes—

(1) withholding or delaying the expenditure or obligation of budget authority (whether by establishing reserves or otherwise) appropriated for projects or activities, and the termination of authorized projects or activities for which appropriations have been made, and

(2) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of authorized budget authority or the creation of obligations by contract in advance of appropriations as specifically authorized by law.

SEC. 204. CONGRESSIONAL PROCEDURES.

(a) DEFINITION OF RESOLUTION; CONTINUITY OF SESSION.—

(1) For purposes of this section and section 202 the term "resolution" means only a resolution of the House of Representatives or the Senate which expresses its disapproval of an impoundment of budget authority set forth in a special message transmitted by the President under section 201, and which is introduced and acted upon by the House of Representatives or the Senate (as the case may be) before the end of the first period of sixty days of continuous session of

(b) REFERRAL.—Any resolution introduced with respect to a special message shall be referred to the Committee on Appropriations of the House of Representatives or the Senate, as the case may be.

(c) DISCHARGE OF COMMITTEE.—

(1) If the committee to which a resolution with respect to a special message has been referred has not reported it at the end of thirty calendar days of continuous session after its introduction, it is in order to move after to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution with respect to the same message which has been referred to the committee.

(2) A motion to discharge may be made only by an individual favoring the resolution, may be made only if supported by one-fifth of the Members of the House involved (a quorum being present), and is highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same special message); and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(3) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same special message.

(d) FLOOR CONSIDERATION.—

(1) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a special message, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on the resolution shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(e) MOTIONS.—Motions to postpone, made with respect to the consideration of a resolution with respect to special message, and motions to proceed to the consideration of other business, shall be decided without debate.

(f) APPEALS.—All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to any resolution referred to in this section shall be decided without debate.

SEC. 205. REPORTS OF IMPOUNDMENTS BY COMPTROLLER GENERAL.

If the Comptroller General finds that the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States, or any other officer or employee of the United States has impounded any budget authority authorized or made available for a specific purpose or project or has ordered, permitted, or approved the impounding of any such budget authority by any other officer or employee of the United States, and the President fails to transmit a special message with respect to such impoundment as required

by this title, the Comptroller General shall report such impoundment and any available information concerning it to both Houses of Congress; and the provisions of this title shall apply with respect to such impoundment in the same manner and with the same effect as if such report of the Comptroller General were a special message submitted by the President under section 201, with the sixty-day period provided in section 202 being deemed to have commenced at the time at which the Comptroller General makes the report. As used in section 204, the term "special message" includes a report made by the Comptroller General under this section.

SEC. 206. SUITS BY COMPTROLLER GENERAL TO ENFORCE CONTROLS.

The Comptroller General is hereby expressly empowered as the representative of the Congress through attorneys of his own selection, with the approval of the Congress in any particular case, to sue any department, agency, officer, or employee of the United States in a civil action in the United States District Court for the District of Columbia to enforce the provisions of this title, and such court is hereby expressly empowered to enter in such civil action any decree, judgment, or order which may be necessary or appropriate to secure compliance with the provisions of this title by such department, agency, officer, or employee. Within the purview of this section, the Office of Management and Budget shall be construed to be an agency of the United States, and the officers and employees of the Office of Management and Budget shall be construed to be officers or employees of the United States.

SEC. 207. REPEAL OF EXISTING IMPOUNDMENT REPORTING PROVISION.

Section 203 of the Budget and Accounting Procedures Act of 1950 is repealed.

SEC. 208. DISCLAIMER.

Nothing contained in this title shall be construed as—

(1) asserting or conceding the constitutional powers or limitations of either the Congress or the President;

(2) ratifying any impoundment heretofore or hereafter executed or approved by the President or any other Federal officer or employee, except insofar as pursuant to statutory authorization then in effect; or

(3) affecting in any way the claims or defenses of any party to litigation concerning any impoundment ordered or executed before the date of the enactment of this Act.

Mr. BOLLING (during the reading). Mr. Chairman, I ask unanimous consent that the title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OFFERED BY MR. MARTIN OF NEBRASKA

Mr. MARTIN of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Nebraska: "Strike out title II of the committee amendment in the nature of a substitute."

Mr. MARTIN of Nebraska. Mr. Chairman, I ask unanimous consent to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The CHAIRMAN. The gentleman from Nebraska will be recognized for 8 minutes.

Mr. MARTIN of Nebraska. Mr. Chairman, the purpose of my amendment is simply to strike title II from the bill before us, the impoundment section of the bill. We have had a very cordial and close relationship this afternoon between the majority and the minority. I hope that the gentleman from Missouri can continue to cooperate with the gentleman from Nebraska in accepting the amendment which I have offered.

There has been some talk, Mr. Chairman, that the impoundment section, title II of this bill, is the same as the impoundment legislation that was passed earlier this year in the House. There are three differences between the bill passed earlier by the House and title II of the current legislation. I would like to point them out.

First, the impoundment procedures approved in the earlier legislation were only for 1 year. This provides that the impoundment procedures are permanent.

Second, this bill does not contain the spending limit applied to fiscal year, 1974, which was in the earlier bill passed by the House. There is no spending limit included in this bill.

Third, adjustments have been made in the authority of the Comptroller General to bring a court action to enforce the impoundment provisions. This also was not in the earlier bill passed by the House.

There are several reasons, Mr. Chairman, why this impoundment title should be stricken from the bill.

First, the long-term effect of this anti-impoundment provision will be to require the President to spend money which otherwise would not be spent. At a time when excessive Federal spending is already creating additional inflationary pressure, this anti-impoundment provision will remove one of the few remaining defenses against inflation, by severely limiting the President's right to impound.

Second, if title I of this bill dealing with congressional budget reform is successful in enabling Congress to stay within responsible spending limits, then the anti-impoundment provisions in title II were unnecessary. We were led to believe this when we debated the first impoundment bill which provided for impoundment only for 1 year.

If the procedures set up in title I do not succeed in enabling Congress to spend responsibly, then it is even more important that the President have the power to impound. Therefore, at best, title II is unnecessary and its adoption could mean the removal of a necessary defense against inflation.

Third, title II of the bill sets up expensive and wasteful reporting procedures. The term "impoundment" is defined broadly in this bill. The President is required to provide extensive information about each impoundment. The result will be a great deal of additional paperwork. In fact, a great majority of impoundments are routine administrative actions. For example, funds are frequently apportioned for each of the quarters in a fiscal year, or reserved from apportionment pending the establishment of plans. Under this bill, all such

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Departments of Labor and Health, Education, and Welfare for fiscal year 1974, debate thereon will be limited to 2 hours.

Pages 5 21967-5 21968

Confirmations: Senate confirmed the nomination of Robert W. McVay, of Missouri, to be a member of the Federal Metal and Nonmetallic Mine Safety Board of Review; and

Sundry Public Health Service nominations received by the Senate on October 9, 1973.

Page 5 21969

Nominations: Senate received the following nominations:

Francis L. Dale, of Ohio, to be U.S. representative to the U.N. European Office, with the rank of Ambassador;

Francis T. Underhill, Jr., of New Jersey, to be Ambassador to Malaysia;

Arthur S. Flemming, of Virginia, to be a member of the Commission on Civil Rights;

Albert J. Engel, of Michigan, to be a U.S. circuit judge for the Sixth Circuit;

Russell James Harvey, to be U.S. district judge for the Eastern District of Michigan; and

Numerous Coast Guard nominations.

Page 5 21969

Record Votes: Three record votes were taken today. (Total—539.)

Pages 5 21924, 5 21949-5 21950

Program for Thursday: Senate met at 11 a.m. and adjourned at 5:39 p.m. until 10:30 a.m. on Thursday, December 6, when, after one special order for a speech, there will be a period for the transaction of routine morning business not to extend beyond the hour of 11 a.m., at which time Senate will take up conference report on H.R. 8877, Labor-HEW appropriations (2-hour debate limitation), to be followed by resumption of S. 1283, energy research and development. At approximately 4:30 p.m. Senate is expected to meet in joint session with the House in the Hall of the House to witness the swearing in of Representative Gerald R. Ford as Vice President of the United States. Upon return to the Senate Chamber, the new Vice President will be afforded the opportunity to address the Senate.

Pages 5 21968-5 21969

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—PUBLIC WORKS-AEC SUPPLEMENTAL

Committee on Appropriations: Subcommittee, in executive session approved for full committee consideration proposed fiscal year 1974 supplemental appropriations for public works programs and the Atomic Energy Commission.

Prior to this action, subcommittee held closed hearings on such appropriations request for the Atomic Energy Commission, receiving testimony from William E. Kriegsman, Commissioner; Edward B. Giller,

Assistant General Manager for National Security; William R. Voight, Jr., Director, Division of Production and Materials Management, Office of the Assistant General Manager for Production and Management of Nuclear Materials; and Merwyn C. Greer, Assistant Comptroller for Budgets, all of the Atomic Energy Commission; Donald Cotter, Assistant to the Secretary for Atomic Energy; and Brig. Gen. James R. Brickel, Deputy Assistant to the Secretary for Atomic Energy, both of the Department of Defense.

HOUSING LEGISLATION

Committee on Banking, Housing and Urban Affairs: Committee continued open markup of proposed omnibus housing and community development legislation, but did not complete action thereon and will meet again tomorrow.

TRUTH IN HOUSING

Committee on Commerce: Subcommittee on the Consumer concluded hearings on S. 2028, to protect purchasers of houses against unfair and deceptive sales practices, after receiving testimony from Joseph Wyke, Metropolitan Wilmington Urban Coalition, Wilmington, Del.; Mayor Henry A. Schiffer, of Ferndale, Mich.; John J. Heyn, representing the National Home Inspection Service; John S. Griffith, Jr., representing the National League of Insured Savings Associations, Washington, D.C.; and Dr. Leland L. Gallup, Cornell University, Ithaca, N.Y.

BRIEFING ON GREECE

Committee on Foreign Relations: Subcommittee on European Affairs, in a closed session, received a briefing on the current situation in Greece from Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs Rodger P. Davies.

ENERGY REORGANIZATION

Committee on Government Operations: Subcommittee on Reorganization, Research, and International Organizations continued hearings on S. 2744, proposing establishment of an independent Energy Research and Development Administration and a Nuclear Energy Commission, receiving testimony from Senator Cook; John Simpson, Power Systems Co. of Westinghouse Corp., New York City; Dave Freeman, Ford Foundation Energy Policy Project; John Partridge, American Gas Association; Jack Bridges, Center for Strategic Study; and Carl Bagge, National Coal Association, all of Washington, D.C.

Hearings were recessed subject to call.

PETROLEUM

Committee on Interior and Insular Affairs: Special Subcommittee on Integrated Oil Operations resumed hearings on market performance and competition in the petroleum industry, and on S. 2260, relating to the

authority of the Secretary of the Interior to grant rights-of-way for pipelines under the Mineral Leasing Act, receiving testimony from Senator Metcalf; Representative Gunter; Vernon F. Neuhaus, Mission, Tex.; Beno Schmidt, New York City; Prof. James Patterson, Indiana University, Bloomington; Kenneth W. Catmull, Autotronic Systems, Inc., Houston; Charles Shipley, representing the Service Station Dealers of Michigan, Detroit; Samuel Gray, Denver; Charles Binsted, representing the National Congress of Petroleum Retailers, Washington, D.C.; and C. John Miller, representing the Independent Petroleum Association of America, Washington, D.C.

Hearings continue tomorrow.

NO-FAULT INSURANCE

Committee on the Judiciary: Committee continued hearings on S. 354, to establish a nationwide motor vehicle accident insurance plan, and to require no-fault motor vehicle insurance as a condition precedent to operating a motor vehicle, receiving testimony from

State representatives Mike Parker and Allen Adams, of Washington; Mitchell Wendell, Washington, D.C.; Harry Lansman, representing Kemper Insurance Co., Chicago; and Walter C. Beall, Cincinnati, representing the Ohio State Bar Association.

Hearings continue tomorrow.

COMMITTEE BUSINESS

Committee on Public Works: Committee, in executive session, ordered favorably reported an original bill proposing a formula for allocation of fiscal year 1975 funds for construction of sewage treatment facilities, and to allow "phased funding" of such facilities; and

S.J. Res. 169, authorizing a feasibility study to be paid for by the U.S. Capitol Historical Society to determine the desirability of installing equipment for a sound and light performance within the U.S. Capitol Grounds.

Also, committee conditionally approved revised public buildings prospectuses in E. Kins, W. Va., and Tyler, Tex.

House of Representatives

Chamber Action

Bills Introduced: 32 public bills, H.R. 11783-11814; 2 private bills, H.R. 11815 and 11816; and 7 resolutions, H.J. Res. 844, H. Con. Res. 393 and 394, and H. Res. 736-739, were introduced. Pages H 10737-H 10738

Bills Reported: Reports were filed as follows:

Report entitled "Delinquent Foreign Debts and Claims Owed to the United States (Selected Countries)" (H. Rept. 93-696);

H.R. 11137, to require the advise and consent of the Senate for future appointments to the offices of Director and Deputy Director of the Office of Management and Budget, amended (H. Rept. 93-697);

H. Res. 738, providing for the consideration of H. Res. 735, confirming the nomination of Gerald R. Ford, of the State of Michigan, to be Vice President of the United States (H. Rept. 93-698);

H. Res. 739, waiving points of order against H.R. 11771, making appropriations for Foreign Assistance and related programs for fiscal year 1974 (H. Rept. 93-699); and

Conference report on H.R. 5874, to establish a Federal Financing Bank, and to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public (H. Rept. 93-700). Page H 10737

Late Reports: Committee on Rules received permission to file certain privileged reports by midnight tonight. Page H 10658

Labor-HEW Appropriations: By a yea-and-nay vote of 371 yeas to 33 nays, the House agreed to the conference report on H.R. 8877, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for fiscal year 1974.

Receded and concurred in Senate amendments Nos. 18, 48, 68, 75, and 81.

Receded and concurred with amendment in Senate amendments Nos. 1 (agreed to by a yea-and-nay vote of 263 yeas to 140 nays), 11, 16, 32, 51, 57, 62, and 79; clearing the measure for Senate action. Pages H 10658-H 10671

Defense Manpower Commission: Majority leader appointed Mr. Arthur E. Haley, of Winchester, Mass.; and the minority leader appointed Mr. Britton L. Gordon, of Grand Rapids, Mich., as members of the Defense Manpower Commission. Page H 10671

Budget and Impoundment Control: By a recorded vote of 386 yeas to 23 noes, the House passed H.R. 7130, to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, and to provide for a Legislative Budget Director and Staff.

Agreed to the committee amendment with the following amendment:

An amendment that incorporates a previously adopted amendment that extends the 5-day layover period to a 10-day layover period, and excludes Saturdays, Sundays, and legal holidays from the layover period for a reported concurrent resolution on the budget, before such resolution could be considered in the House; and

Agreed to amend the title of the bill.

Rejected the following amendments to the committee amendment:

An amendment that sought to delete language which designates a specific composition of the 23-member Budget Committee and language regarding seniority, and prohibits a Member from serving more than two consecutive terms in a 10-year period (rejected by a division vote of 23 ayes to 76 noes);

An amendment that sought to prohibit consideration of authorizing legislation after July 1 in lieu of March 31 of each year (rejected by a recorded vote of 106 ayes to 300 noes);

An amendment that sought to require the pilot-testing of all Federal programs prior to the implementation unless the committee report on such legislation indicates why this is unnecessary (rejected by a recorded vote of 185 ayes to 218 noes);

An amendment that sought to provide for a maximum limitation on authorizations for appropriations to 3 years except those funded through user taxes (rejected by a recorded vote of 192 ayes to 217 noes);

An amendment that sought to require Presidential submission of alternative spending options for each major functional category in the budget, and to require inclusion of all relevant policy and program evaluation (rejected by a division vote of 23 ayes to 63 noes);

An amendment that sought to require all appropriation bills be sent to the President at the same time with no exceptions (rejected by a recorded vote of 117 ayes to 289 noes);

An amendment that sought to delete the title on impoundment control (rejected by a recorded vote of 108 ayes to 295 noes);

An amendment that sought to require both Houses of Congress to take action before a Presidential impoundment is disapproved, and to allow selective disapproval of impoundments by Congress (rejected by a recorded vote of 186 ayes to 221 noes); and

An amendment that sought to make title II (impoundment control) effective on October 1, 1975 (rejected by a recorded vote of 185 ayes to 221 noes).

Pages H 10671-H 10720

Referrals: Four Senate-passed measures were referred to the appropriate House committees.

Page H 10736

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of the House today and appear on pages H10667-H10669, H10681-H10682, H10686, H10692-H10693, H10699-H10700, H10704, H10706, H10708, and H10719-H10720. There were no quorum calls.

Program for Thursday: Met at noon and adjourned at 7:45 until 10 a.m. on Thursday, December 6, when the House will consider H. Res. 735, confirming the nomination of Gerald R. Ford, of the State of Michigan, to be Vice President of the United States (6 hours of general debate).

Committee Meetings

FLAG PRESENTATIONS—TRAVEL ALLOWANCES

Committee on Armed Services: Subcommittee No. 1 held hearings on and approved for full committee action the following bills:

H.R. 5621 amended, to provide for the presentation of a flag of the United States for deceased members of the National Guard and Selected Reserves; and

S. 1038, to authorize travel and transportation allowances to certain members of the uniformed services in connection with leave.

Testimony was heard from Lt. Col. Lloyd L. Wyatt, Office of the Adjutant General, Department of the Army; and Lt. Col. John M. Gasper, Office, Deputy Chief of Staff for Personnel, Department of the Army.

STOCKPILE DISPOSALS

Committee on Armed Services: Subcommittee No. 3 held a hearing on the disposal of aluminum, silicon carbide, zinc, and copper from the national and supplemental stockpiles. Testimony was heard from GSA and public witnesses.

Hearings continue tomorrow.

MONETARY REFORM

Committee on Banking and Currency: Subcommittee on International Finance held a hearing on monetary reform and heard testimony from Dr. Arthur Burns, Chairman, Federal Reserve Board.

REAL ESTATE SETTLEMENT PROCEDURES— ESCROW ACCOUNT SYSTEM IMPROVEMENT

Committee on Banking and Currency: Subcommittee on Housing continued hearings on H.R. 9989, Real Estate Settlement Procedures Act of 1973; and H.R. 11460, Escrow Account System Improvement Act. Testimony was heard from public witnesses.

BOG FAMILY CONTRIBUTION SCHEDULE

Committee on Education and Labor: Special Subcommittee on Education concluded hearings on basic opportunity grant family contribution schedule. Testimony was heard from Dr. Arthur Switzer, Ursinus College; Miles M. Fisher IV, National Association for Equal Opportunity in Higher Education; and Dr. James Dixon, Antioch College.

MISSING IN ACTION IN SOUTHEAST ASIA

Committee on Foreign Affairs: Subcommittee on National Security Policy and Scientific Developments held a hearing on H. Con. Res. 271 and similar legislation expressing the sense of Congress with respect to the missing in action in Southeast Asia. Testimony was heard from Frank Sieverts, Special Assistant for Prisoner of War Matters, Department of State; Roger Shields, Office of International Security, Department of

Defense; and Scott Albright, National League of POW and MIA Families.

UN PEACEKEEPING IN THE MIDDLE EAST

Committee on Foreign Affairs: Subcommittee on International Organizations and Movements and Subcommittee on Near East and South Asia held a joint hearing on United Nations peacekeeping in the Middle East. Testimony was heard from Ambassador Charles W. Yost, former U.S. Permanent Representative to the United Nations; Ambassador William Schaefele, Senior Political Advisor, U.S. Mission to the United Nations; and Vice Admiral John Lee (Ret.), former assistant director, Arms Control and Disarmament Agency.

Hearings continue tomorrow.

COMMITTEE BUSINESS

Committee on Government Operations: Subcommittee on Intergovernmental Relations met and approved for full committee action report entitled "Farmers Home Administration Rural Housing Operations."

GOVERNMENT OPERATIONS MISCELLANY

Committee on Government Operations: Met and ordered reported favorably to the House the following measures:

H.R. 11510 amended, to reorganize and consolidate certain functions of the Federal Government in a new Energy Research and Development Administration and in a Nuclear Energy Commission in order to promote more efficient management of such functions;

H.R. 11137 amended, to require the advice and consent of the Senate for future appointments to the Offices of Director and Deputy Director of the Office of Management and Budget; and the following reports:

Regulation of Diethylstilbesterol (DES) and Other Drugs Used in Food Producing Animals;

Delinquent Foreign Debts and Claims Owed to the United States (Selected Countries); and

Farmers Home Administration Rural Housing Operations.

COMMITTEE BUSINESS

Committee on House Administration: Met for consideration of committee business.

INTERIOR MISCELLANY

Committee on Interior and Insular Affairs: Met and ordered reported favorably to the House S. 1529 amended, to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Minidoka project, Idaho.

The committee began markup of H.R. 4861, providing for the preservation and protection of certain

lands known as Piscataway Park in Prince Georges and Charles Counties, Md.; and

Continued markup of H.R. 10294, to establish a National Land Use Policy, and will resume markup of these measures tomorrow.

NATIONAL ENERGY EMERGENCY ACT

Committee on Interstate and Foreign Commerce: Continued markup of H.R. 11450, National Energy Emergency Act, and will resume markup tomorrow.

MOTOR VEHICLE STANDARDS

Committee on Interstate and Foreign Commerce: Subcommittee on Public Health and Environment concluded oversight hearings on new motor vehicle standards and fuel economy with testimony from an administration witness.

AMENDMENT OF CONTRACTS

Committee on Merchant Marine and Fisheries: Held a hearing on H.R. 11223, to authorize amendment of contracts relating to the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam. Testimony was heard from Guam Delegate Won Pat; Department and public witnesses.

Hearings were adjourned subject to call.

FORD CONFIRMATION

Committee on Rules: Granted a rule waiving the provisions of clause 27(d)(4) of rule XI and providing 6 hours of general debate on H. Res. 735, confirming the nomination of Gerald R. Ford, of the State of Michigan, to be Vice President of the United States. Testimony was heard from Chairman Rodino and Representatives Hutchinson, Edwards of California, Abzug, and Holtzman.

FOREIGN ASSISTANCE APPROPRIATIONS

Committee on Rules: Granted a rule waiving all points of order against H.R. 11771, making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1974. Testimony was heard from Chairman Mahon and Representatives Passman and Shriver.

U.S.-U.S.S.R. SCIENCE AND TECHNOLOGY TRANSFER

Committee on Science and Astronautics: Subcommittee on International Cooperation in Science and Space continued hearings on science and advanced technology transfer between the United States and the Soviet Union. Testimony was heard from Dr. Lowell W. Steele, General Electric Co., Schenectady, N.Y.; J. Fred Bucy, Jr., Texas Instruments, Inc., Dallas, Tex.; and Dr. Doug N. Stevens, Earth Sciences, Inc., Golden, Colo. Hearings continue tomorrow.

March 13, 1974

Mr. CANNON. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

There being no objection, the amendments were agreed to en bloc.

The resolution, as amended, was agreed to, as follows:

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Banking, Housing and Urban Affairs, or any subcommittee thereof, is authorized from March 1, 1974, through February 28, 1975, for the purpose stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The Committee on Banking, Housing and Urban Affairs, or any subcommittee thereof, is authorized from March 1, 1974, through February 28, 1975, to expend not to exceed \$688,500 to examine, investigate, and make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries in accordance with such succeeding sections of this resolution.

Sec. 3. Not to exceed \$336,000 shall be available for a study or investigation of—

- (1) banking and currency generally;
- (2) financial aid to commerce and industry;
- (3) deposit insurance;
- (4) the Federal Reserve System, including monetary and credit policies;
- (5) economic stabilization, production, and mobilization;
- (6) valuation and revaluation of the dollar;
- (7) prices of commodities, rents, and services;
- (8) securities and exchange regulations;
- (9) credit problems of small business; and
- (10) international finance through agencies within legislative jurisdiction of the committee.

Sec. 4. Not to exceed \$220,500 shall be available for a study or investigation of public and private housing and urban affairs generally.

Sec. 5. Not to exceed \$130,000 shall be available for an inquiry and investigation pertaining to the securities industry.

Sec. 6. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 28, 1975.

Sec. 7. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER (Mr. HUDNELLSTON). The bill will be stated by title. The assistant legislative clerk read as follows:

A bill (S. 1541) to provide for the reform of congressional procedures with respect to the enactment of fiscal measures; to provide ceilings on Federal expenditures and the national debt; to create a budget committee in each House; to create a congressional Office of the Budget; and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment and from the Committee on Rules and Administration with amendments, as follows:

The amendment of the Committee on Government Operations was to strike out all after the enacting clause and insert:

That (a) this Act may be cited as the "Federal Act To Control Expenditures and Establish National Priorities".

(b) The Congress declares that because it is imperative to establish national goals and priorities for maximum utilization of Federal expenditures, and because it is imperative for the Congress to regain effective control over the budgetary process so it may determine those priorities, therefore it is deemed necessary—

(1) to establish a congressional budgeting system which facilitates establishment of national goals and priorities to meet the needs of a modern society and economy,

(2) to create budget committees with responsibility to oversee and establish fiscal guidelines for the proper implementation of national goals and priorities, and

(3) to develop a means for a constant and systematic review of existing programs to be certain that they are achieving the national objectives for which they were created.

DEFINITIONS

Sec. 2. For purposes of this Act—

(1) The terms "budget outlays" and "outlays" mean, with respect to any fiscal year, expenditures of funds under budget authority during the fiscal year.

(2) The term "budget authority" means authority provided by law to enter into obligations which will result in immediate or future outlays.

(3) The term "tax expenditures" means those revenue losses attributable to provisions of the Federal tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability representing a deviation from the normal tax structure for individuals and corporations. The term "tax expenditures budget" means the enumeration of such tax expenditures as published by the House Ways and Means Committee in "Estimates of Federal Tax Expenditures". Such enumeration shall correspond to the functional classifications shown in the most recent budget of the United States.

(4) The term "permanent budget authority" means budget authority which becomes available from time to time without further action by the Congress.

(5) The term "concurrent resolution on the budget" means a concurrent resolution referred to in section 301 or 302.

TITLE I—ESTABLISHMENT OF SENATE AND HOUSE BUDGET COMMITTEES

BUDGET COMMITTEE OF THE SENATE

Sec. 101. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new subparagraph:

"(r) (1) Committee on the Budget, to

which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"(A) The establishment of limitations on total budget outlays and on total new budget authority of the United States Government.

"(B) The establishment of appropriate levels of budget outlays and new budget authority for each committee of the Senate which has jurisdiction over legislation providing budget authority, based on allocations of the total budget outlays and total new budget authority referred to in clause (A), and the further subdivision of such allocations among the subcommittees of such committees or on the basis of major program groupings. In carrying out this function, the committee shall review and consider existing tax expenditures in each area of allocation and subdivision.

"(C) The determination of the amount, if any, by which budget outlays should exceed revenues, or revenues should exceed budget outlays, considering economic conditions and all other relevant factors.

"(D) The determination of the appropriate level of Federal revenues and the appropriate level of the public debt of the United States.

"(E) The determination of the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased and the statutory limit on the public debt should be increased or decreased.

"(F) The determination of the existing levels of tax expenditures (the tax expenditures budget), and consideration of their effect on Federal revenues and their relationship to the matters set forth above.

"(G) The determination of the extent, if any, to which section 401 of the Federal Act To Control Expenditures and Establish National Priorities is to apply.

"(2) Such committee shall have the duty—

"(A) to report during each regular session of Congress at least one concurrent resolution dealing with the matters specified in clauses (A) through (G) of subparagraph (1), utilizing, in connection with the reporting of each such concurrent resolution, the reports of the Joint Economic Committee made under section 301(b) of the Federal Act To Control Expenditures and Establish National Priorities,

"(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the Senate on a recurring basis,

"(C) to make continuing studies of tax expenditures and methods of coordinating the categories of tax expenditures policies and programs and direct budget outlays, and to report the results of such studies to the Senate on a recurring basis, and

"(D) to review, on a continuing basis, the conduct of its functions and duties by the Congressional Office of the Budget."

(b) The table contained in paragraph 2 of rule XXV of the Standing Rules of the Senate is amended by inserting after—

"Banking, Housing and Urban Affairs... 15" the following:

"Budget 15".

(c) Each meeting of the Committee on the Budget of the Senate, or any subcommittee thereof, including meetings to conduct hearings shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee or subcommittee, as the case may be, determines by record vote of a majority of the members of the committee or subcommittee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

FEDERAL ACT TO CONTROL EXPENDITURES AND ESTABLISH NATIONAL PRIORITIES

Mr. ROBERT C. BYRD. Mr. President, for the purpose of laying it before the Senate and making it the pending business, so that it will be the unfinished business upon the Senate's return, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 664, S. 1541.

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer of law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees, or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(d) Paragraph 7(b) of rule XXV of the Standing Rules of the Senate and section 133A(b) of the Legislative Reorganization Act of 1946 shall not apply to the Committee on the Budget of the Senate.

BUDGET COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Sec. 102. (a) Clause 1 of rule X of the Rules of the House of Representatives is amended by redesignating paragraphs (e) through (v), inclusive, as paragraphs (f) through (v), respectively, and by inserting after paragraph (d) the following new paragraph:

"(e) Committee on the Budget, to consist of _____ members."

(b) Rule XI of the Rules of the House of Representatives is amended by redesignating clauses 5 through 33, inclusive, as clauses 6 through 34, respectively, and by inserting after clause 4 the following new clause:

"5. Committee on the Budget.

"(a) The establishment of limitations on total budget outlays and on total new budget authority of the United States Government.

"(b) The establishment of appropriate levels of budget outlays and new budget authority for each committee of the House which has jurisdiction over legislation providing budget authority, based on allocations of the total budget outlays and total new budget authority referred to in paragraph (a), and the further subdivision of such allocations among the subcommittees of such committees or on the basis of major program groupings. In carrying out this function, the committee shall review and consider existing tax expenditures in each area of allocation and subdivision.

"(c) The determination of the amount, if any, by which budget outlays should exceed revenues, or revenues should exceed budget outlays, considering economic conditions and all other relevant factors.

"(d) The determination of the appropriate level of Federal revenues and the appropriate level of the public debt of the United States.

"(e) The determination of the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased and the statutory limit on the public debt should be increased or decreased.

"(f) The determination of the existing levels of tax expenditures (the tax expenditures budget), and consideration of their effect on Federal revenues and their relationship of the matters set forth above,

(g) The determination of the extent, if any, to which section 401 of the Federal Act

To Control Expenditures and Establish National Priorities is to apply.

"(h) The committee shall have the duty—

"(1) to report during each regular session of Congress at least one concurrent resolution dealing with the matters specified in paragraphs (a), (b), (c), (d), (e), (f), and (g), utilizing, in connection with the reporting of each such concurrent resolution, the reports of the Joint Economic Committee made under section 301(b) of the Federal Act To Control Expenditures and Establish National Priorities,

"(2) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the House on a recurring basis,

"(3) to make continuing studies of tax expenditures and methods of coordinating the categories of tax expenditures policies and programs and direct budget outlays, and to report the results of such studies to the House on a recurring basis, and

"(4) to review, on a continuing basis, the conduct of its functions and duties by the Congressional Office of the Budget."

TITLE II—CONGRESSIONAL OFFICE OF THE BUDGET

ESTABLISHMENT OF OFFICE

SEC. 201. (a) IN GENERAL.—There is hereby established an office of the Congress to be known as the Congressional Office of the Budget (hereafter in this title referred to as the "Office"). The Office shall be headed by a Director and there shall be in the Office a Deputy Director who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as the Director. Both the Director and Deputy Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate with the approval of the Senate and the House of Representatives, given by resolution of each House. The Director and Deputy Director shall each serve at the pleasure of the Senate and the House of Representatives and may be removed by either House by resolution. The Director and Deputy Director shall each be appointed without regard to political affiliation and solely on the basis of his fitness to perform his duties. The Director shall receive the same compensation as the Comptroller General of the United States, and the Deputy Director shall receive compensation at the highest rate of basic pay payable under the General Schedule of section 5332 of title 5, United States Code.

(b) PERSONNEL.—The Director shall appoint and fix the compensation of such professional, technical, clerical, and other personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may delegate to personnel of the Office authority to perform any of the duties and functions imposed by this Act on the Office or on the Director. For purposes of benefits, rights, and privileges other than pay, the Director and Deputy Director shall be treated as if they were employees of the Senate. All other personnel of the Office shall be treated as if they were employees of the House of Representatives.

(c) EXPERTS AND CONSULTANTS.—In carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or in the case of individual experts or consultants by employment at rates of pay not in excess of the daily equivalent of the

highest rate of basic pay payable under the General Schedule of section 5332 of title 5, United States Code.

(d) RELATIONSHIP TO EXECUTIVE BRANCH.—

(1) SECURING OF INFORMATION, ETC.—The Director is authorized to secure all information, data, estimates, and statistics developed by the various departments, agencies, and establishments of the executive branch of the Government and regulatory agencies and commissions of the Government in the normal course of their operations and activities. All such departments, agencies, and establishments and regulatory agencies and commissions shall cooperate with the Director by furnishing to him that material which he determines to be necessary in the performance of his duties and functions.

(2) UTILIZATION OF SERVICES, ETC.—In carrying out the duties and functions of the Office, the Director may, as agreed upon with the head of any department, agency, or establishment of the executive branch of Government or regulatory agency or commission of the Government, utilize the services, facilities, and personnel of such department, agency, or establishment or such regulatory agency or commission. The utilization of such services, facilities, and personnel may be with or without reimbursement by the Office as may be agreed to.

(3) FURNISHING OF INFORMATION, SERVICES, ETC.—The head of each department, agency, and establishment in the executive branch, or regulatory agency or commission, is authorized to provide the Office such services, facilities, and personnel under this subsection.

(e) RELATIONSHIP TO OTHER AGENCIES OF CONGRESS.—

(1) COORDINATION OF OPERATIONS.—The Office, the General Accounting Office, the Library of Congress, and the Office of Technology Assessment shall fully coordinate and cooperate in planning and conducting their operations to utilize most effectively the information, services, and capabilities of all congressional agencies in carrying out the various responsibilities assigned to each agency.

(2) OBTAINING INFORMATION, ETC.—In carrying out duties and functions of the Office, the Director is authorized to obtain all information, data, estimates, and statistics developed by the General Accounting Office, the Library of Congress, and the Office of Technology Assessment in the normal course of their operations and activities. Requests for information, and the compliance with such requests, pursuant to this subsection shall be in accordance with procedures to be developed and agreed upon between the Director and the Comptroller General, the Librarian of Congress, and the Technology Assessment Board, respectively.

(3) UTILIZATION OF SERVICES, ETC.—In carrying out the duties and functions of the Office, the Director may, as agreed upon with the Comptroller General, the Librarian of Congress, and the Technology Assessment Board, utilize the services, facilities, and personnel of the General Accounting Office, the Library of Congress, and the Office of Technology Assessment, as the case may be. The utilization of such services, facilities, and personnel may be with or without reimbursement by the Office as may be agreed to.

(4) FURNISHING OF INFORMATION, SERVICES, ETC.—The Comptroller General, the Librarian of Congress, and the Technology Assessment Board are authorized to provide the Office such services, facilities, and personnel under this subsection.

(5) EXISTING AUTHORITIES NOT OTHERWISE AFFECTED.—Except as otherwise specifically provided, nothing in this title shall be construed as modifying any existing authorities or responsibilities of the General Account-

ing Office, the Library of Congress, and the Office of Technology Assessment.

(f) APPROPRIATIONS.—There are hereby authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated to the Office pursuant to the preceding sentence, the expenses of the Office shall be paid, upon vouchers approved by the Director, from the contingent fund of the House of Representatives.

DUTIES AND FUNCTIONS

SEC. 202. (a) ASSISTANCE TO BUDGET COMMITTEES.—It shall be the duty and function of the Office to provide to the Committee on the Budget of both Houses information with respect to the budget, appropriation bills, other bills authorizing or providing budget authority or tax expenditures, and with respect to revenues, receipts, estimated future revenues and receipts, and changing revenue conditions. The Office shall also provide to the Committee on the Budget of either House such other related information as such committee may request. At the request of the Committee on the Budget of either House, personnel of the Office shall be assigned, on a temporary basis, to assist such committee.

(b) ASSISTANCE TO OTHER COMMITTEES AND MEMBERS.—At the request of any other committee of the Senate or the House of Representatives, any joint committee of the Congress, or any Member of the Senate or the House, the Office shall provide to such committee, joint committee, or Member any information compiled in carrying out the first sentence of subsection (a) and shall, to the extent practicable, provide other information requested with respect to the budget, appropriation bills, other bills authorizing or providing budget authority or tax expenditures, and with respect to revenues, receipts, estimated future revenue and receipts, changing revenue conditions, and related information. At the request of any such committee, joint committee, or Member, personnel of the Office may be assigned, on a temporary basis, to assist such committee, joint committee, or Member with respect to matters directly related to the items enumerated in the preceding sentence.

(c) TRANSFER OF FUNCTIONS OF JOINT COMMITTEE ON REDUCTION OF FEDERAL EXPENDITURES.—The duties and functions of the Joint Committee on Reduction of Federal Expenditures are transferred to the Office, and the Joint Committee is hereby abolished.

(d) REPORT ON REVENUES AND BUDGET OUTLAYS.—On or before May 1 of each year, and based on his estimates of revenues expected to be received by the United States Government during the fiscal year beginning on October 1 of such year, the Director shall report to the Congress with respect to alternative levels of revenues and outlays for such fiscal year. Such report shall also set forth the existing levels of tax expenditures (the tax expenditure budget) and an estimate, based on projected economic factors, of any anticipated change in the level of tax expenditures for such fiscal year. The Director may at any time thereafter submit subsequent reports to the Congress revising the report required by this subsection.

(e) PROJECTION OF REVENUES AND BUDGET OUTLAYS.—The Director shall develop information with respect to the effect of existing laws on revenues and existing authorizations and budget authority on outlays during the current fiscal year and the ensuing four fiscal years. Such information shall include the effect of tax expenditures on revenues and outlays, and the effect of existing laws and existing authorizations and budget authority on tax expenditures.

(f) USE OF COMPUTERS AND OTHER TECHNIQUES.—The Director may equip the Office with up-to-date computer capability, obtain the services of experts and consultants in

computer technology, and develop techniques for the evaluation of budgetary requirements, including the establishment of data files as required by section 902 of this Act.

PUBLIC ACCESS TO BUDGET DATA

SEC. 203. (a) RIGHT TO INSPECT AND COPY.—Except as provided in subsections (c) and (d), the Director shall make all information, data, estimates, and statistics obtained under sections 201(d)(1) and 201(e)(2) available for public inspection and copying during normal business hours. To the extent possible, he shall at the request of any person, furnish a copy of any such information, data, estimates, or statistics requested, upon payment by such person of the cost of making and furnishing such copy.

(b) INDEX.—The Director shall develop and maintain filing, coding, and indexing systems that identify the information, data, estimates, and statistics to which subsection (a) applies and shall make such systems available for public use during normal business hours.

(c) EXCEPTIONS.—Subsection (a) shall not apply to information, data, estimates, and statistics—

(1) which are specifically exempted from disclosure by Act of Congress; or

(2) which the Director determines will disclose—

(A) matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(C) personnel or medical data or similar data the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the portions containing such information have been excised.

(d) INFORMATION OBTAINED FOR COMMITTEES AND MEMBERS.—Subsection (a) shall apply to any information, data, estimates, and statistics obtained at the request of any committee or Member of the Senate or the House of Representatives, or any joint committee of the Congress, unless the committee, Member, or joint committee making the request has instructed the Director not to make such information, data, estimates, or statistics available for public inspection and copying.

TITLE III—CONGRESSIONAL BUDGET PROCESS

The timetable with respect to the congressional budget process for any fiscal year shall be as follows:

- On or before: Action to be completed:
- December 1----- Current services budget to be submitted.
- February 1----- President's budget to be submitted.
- April 15----- Joint Economic Committee reports, and Joint Committee on Internal Revenue Taxation, appropriations, taxing, and other committees submit estimates, to Budget Committees.
- May 1----- Congressional Office of the Budget submits report to Congress.
- May 31----- Congress completes action on legislation authorizing enactment of new budget authority.

June 1----- Budget Committees report first concurrent resolution on the budget.

June 20----- Each House completes action on first concurrent resolution on the budget.

July 1----- Congress completes action on first concurrent resolution on the budget.

September 20--- Congress completes action on legislation providing new budget authority.

September 30--- Congress completes action on ceiling enforcement bill.

October 1----- Fiscal year begins.

ADOPTION OF CONCURRENT RESOLUTION

SEC. 301. (a) ACTION TO BE COMPLETED BY JULY 1.—On or before July 1 of each year, the Congress shall complete action on a concurrent resolution setting forth for the fiscal year beginning on October 1 of such year—

(1) TOTAL BUDGET OUTLAYS AND TOTAL NEW BUDGET AUTHORITY.—Limitations on total budget outlays and total new budget authority;

(2) ALLOCATIONS OF TOTALS.—Appropriate levels of budget outlays and new budget authority for each committee of the Senate and House which has jurisdiction over legislation providing budget authority, based on allocations of the total budget outlays and total new budget authority, which allocations may be further subdivided among the subcommittees of such committees or on the basis of major program groupings;

(3) ESTIMATED REVENUES.—Estimated revenue receipts and their major sources;

(4) RECOMMENDED SURPLUS OR DEFICIT.—The amount, if any, by which revenues should exceed budget outlays, or by which budget outlays should exceed revenues, considering economic conditions and all other relevant factors;

(5) TAX EXPENDITURES BUDGET.—The existing levels of tax expenditures (the tax expenditures budget) by major budget categories;

(6) LEVEL OF TOTAL REVENUES AND TOTAL DEBT.—The appropriate level of Federal revenues and the public debt;

(7) RECOMMENDED CHANGE IN REVENUES.—The amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by legislation to be reported by the appropriate committees;

(8) RECOMMENDED CHANGE IN PUBLIC DEBT LIMIT.—The amount, if any, by which the statutory limit on the public debt should be increased or decreased by legislation reported by the appropriate committees; and

(9) SPENDING BILLS TO SPECIFY OUTLAYS.—The extent (if any) to which section 401 (relating to requirement that budget authority legislation contain limitation on outlays) shall apply for the fiscal year.

(b) REPORTS BY JOINT ECONOMIC COMMITTEE.—On or before April 15 of each year, the Joint Economic Committee shall report to the Committee on the Budget of both Houses its recommendations as to the fiscal policy appropriate to the goals of the Employment Act of 1946, including where appropriate recommendations with regard to major categories of new budget authority and budget outlays. The joint committee shall also, from time to time, report to the Committees on the Budget of both Houses such other recommendations as it deems advisable.

(c) VIEWS AND ESTIMATES OF OTHER COMMITTEES.—On or before April 15 of each year, the Committees on Appropriations and Finance of the Senate shall submit their views and estimates to the Committee on the Budget of the Senate, the Committees on Appropriations and Ways and Means of

the House of Representatives shall submit their views and estimates to the Committee on the Budget of the House, and the Joint Committee on Internal Revenue Taxation shall submit their views and estimates to the Committees on the Budget of both Houses, with respect to all matters set forth in subsection (a) which relate to matters within the respective jurisdictions or functions of such committees and joint committees. Any other committee of the Senate or House may submit to the Committee on the Budget of its House, and any other joint committee of the Congress may submit to the Committees on the Budget of both Houses, its views and estimates with respect to all matters set forth in subsection (a) which relate to matters within its jurisdiction or function.

(d) **REPORTING.**—On or before June 1 of each year, the Committee on the Budget of each House shall report to its House a concurrent resolution on the budget referred to in subsection (a) for the fiscal year beginning on October 1 of such year. The report accompanying such concurrent resolution shall include, but not be limited to—

(1) a comparison of revenues and major sources thereof as estimated for the purposes of such concurrent resolution with those estimated in the budget submitted by the President;

(2) a comparison of the limitations on total budget outlays and total new budget authority set forth in such concurrent resolution with total budget outlays estimated and total new budget authority requested in the budget submitted by the President;

(3) the economic assumptions and program objectives which underlie the limitations, appropriate levels, estimates, deficits, or surpluses, and levels of revenue and public debt set forth in such concurrent resolution, and the alternative economic assumptions and program objectives which the committee considered in formulating such concurrent resolution;

(4) specific projections, not limited to the following, for the next five fiscal years, of—

(A) the estimated levels of total budget outlays and new budget authority for each fiscal year in such period.

(B) the estimated revenues to be received and the major sources thereof, and the estimated surplus or deficit, if any, for each fiscal year in such period, based upon such estimated revenues and the estimated levels of total budget outlays and new budget authority set forth pursuant to subparagraph (A), and

(C) the estimated levels of tax expenditures by major budget categories; and

(5) an explanation of any significant changes in the proposed levels of Federal assistance to State and local governments. Such report shall also contain the recommendations of the Joint Economic Committee as reported pursuant to subsection (b) and the separate views of other committees and joint committees as submitted pursuant to section (c).

(e) **FLOOR ACTION.**—On or before June 20 of each year, each House shall complete action on a concurrent resolution on the budget referred to in subsection (a) for the fiscal year beginning on October 1 of such year (except for action on any conference report on such concurrent resolution).

(f) **EFFECT OF CERTAIN ADJOURNMENTS.**—Whenever after June 1 of any year, either House is not in session because of an adjournment or recess more than three days to a day certain, then in applying subsection (e) to such House, there shall be substituted for June 20 that date which follows June 20 by the same number of days (not exceeding seven in the aggregate) as the number of days after June 1 and before

June 20, on which such House was not in session because of any such adjournment or recess.

(g) **EXTENSION WHERE SPECIFIED DATE FALLS ON SATURDAY, SUNDAY, OR HOLIDAY.**—When any date specified in subsection (d) or (e) (as modified by subsection (f)) falls on a Saturday, Sunday, or legal holiday in the District of Columbia in any year, there shall be substituted for that date the next succeeding date which is not a Saturday, Sunday, or legal holiday in the District of Columbia.

(h) **EFFECT OF FAILURE TO ADOPT CONCURRENT RESOLUTION BY JULY 1.**—If the Congress fails to complete action on the concurrent resolution on the budget referred to in subsection (a) on or before July 1 of any year, then, until such action is completed—

(1) if each House has agreed to such a concurrent resolution, the figure for each matter set forth pursuant to paragraph (2) of subsection (a) for the fiscal year shall be deemed to be the lower figure contained in the concurrent resolution agreed to by either House, and the limitations on total outlays and total new budget authority set forth pursuant to paragraph (1) of such subsection shall be the sums of such lower figures;

(2) if one House has agreed to such a concurrent resolution, the figures for the matters set forth pursuant to subsection (a) for the fiscal year shall be deemed to be the figures contained in that concurrent resolution; and

(3) if neither House has agreed to such a concurrent resolution, the figures for the matters set forth pursuant to subsection (a) for the fiscal year shall be deemed to be the respective figures therefor set forth in the budget submitted for the fiscal year pursuant to section 201(d) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), as added by section 601 of this Act.

For any period for which paragraph (1), (2), or (3) applies, there shall be deemed to have been adopted a concurrent resolution on the budget referred to in this section which contains the figures referred to in the applicable paragraph.

ADDITIONAL CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 302. (a) REQUIRED REAFFIRMATION OR REVISION.—When required under section 309(d), the Committee on the Budget of each House shall report a concurrent resolution which reaffirms or revises the concurrent resolution adopted pursuant to section 301 for a fiscal year, or, if a concurrent resolution for such fiscal year has been adopted pursuant to subsection (b), which reaffirms or revises the most recently adopted concurrent resolution on the budget for such fiscal year.

(b) **PERMISSIBLE REVISIONS.**—At any time after the concurrent resolution for a fiscal year has been adopted pursuant to section 301, and before the close of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises the most recently adopted concurrent resolution on the budget for such fiscal year.

RULES FOR CONSIDERATION OF CONCURRENT RESOLUTIONS OF THE BUDGET

SEC. 303. (a) PROCEDURE AFTER REPORT OF COMMITTEE.—

(1) A concurrent resolution on the budget reported in either House shall be highly privileged. It shall be in order at any time after the third day following the day on which the report accompanying such a concurrent resolution is available to move to proceed to its consideration (even though a previous motion to the same effect has been disagreed to). Such a motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it

shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on any concurrent resolution on the budget, and all amendments thereto, shall be limited to not more than one hundred hours (twenty hours, in the case of a concurrent resolution reported after recommitment pursuant to section 304(c)). General debate shall be divided equally between the majority and minority parties. Debate on any amendment shall be limited to not more than four hours, which shall be equally divided between those favoring and those opposing the amendment. A motion further to limit debate is not debatable. A motion to recommit the concurrent resolution is not in order, and it is not in order to move to reconsider the vote by which the concurrent resolution is agreed to or disagreed to. An amendment to a concurrent resolution reported after recommitment pursuant to section 304(c) shall be in order only if it is in order under section 304(f).

(b) **DECISIONS WITHOUT DEBATE ON MOTION TO POSTPONE OR PROCEED.**—

(1) Motions to postpone, made with respect to the consideration of any concurrent resolution on the budget, and motions to proceed to the consideration of other business, shall be decided without debate.

(2) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to any concurrent resolution on the budget shall be decided without debate.

(c) **PROCEDURE AFTER PASSAGE BY ONE HOUSE.**—If, prior to the passage by one House of a concurrent resolution of that House, that House receives from the other House a concurrent resolution of such other House, then—

(1) the procedure with respect to the concurrent resolution of the first House shall be the same as if no concurrent resolution from the other House had been received; but

(2) on any vote on final passage of the concurrent resolution from the other House shall be automatically substituted.

(d) **ACTION ON CONFERENCE REPORTS.**—

(1) The conference report on any concurrent resolution on the budget shall be highly privileged in each House. It shall be in order at any time after the third day following the day on which such a conference report is reported and is available to move to proceed to its consideration (even though a previous motion to the same effect has been disagreed to). Such a motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on the conference report shall be limited to not more than ten hours, which shall be divided equally between those favoring and those opposing the conference report. A motion to recommit the conference report shall not be in order and it shall not be in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(3) Motions to postpone, made with respect to the consideration of such conference report and motions to proceed to the consideration of other business, shall be decided without debate.

(4) Appeals from decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to such conference report shall be decided without debate.

FLOOR AMENDMENTS TO CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 304. (a) INITIAL FLOOR CONSIDERATION.—During the consideration in either House of any concurrent resolution on the

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budget, an amendment shall not be in order unless—

(1) it is germane,
(2) there has been made available an analysis prepared by the Director of the Congressional Office of the Budget which sets forth the effect (if any) which such amendment would have on both budget outlays and new budget authority, on revenues if appropriate, and

(3) in the case of an amendment to a concurrent resolution on the budget which has been reported after recommitment pursuant to subsection (c), it is in order under subsection (f).

Paragraph (2) shall not apply to any amendment if, at the time such amendment is proposed, the Member proposing such amendment states that an analysis was requested (giving the date of such request), but has not been received, from the Director of the Congressional Office of the Budget.

(b) FLOOR AMENDMENTS ALWAYS IN ORDER TO MAKE CONCURRENT RESOLUTION CONSISTENT.—Notwithstanding any other rule (other than those provided in this section), an amendment, or series of amendments, to a concurrent resolution on the budget proposed in either the Senate or the House of Representatives shall always be in order if such amendment or series of amendments proposes to change any figure or figures then contained in such concurrent resolution so that such concurrent resolution would (if such amendment or series of amendments were adopted) not be consistent within the meaning of subsection (d).

(c) PROCEDURE IF FLOOR AMENDMENTS MAKE CONCURRENT RESOLUTION INCONSISTENT.—If after all amendments proposed to a concurrent resolution on the budget have been considered, such concurrent resolution is inconsistent within the meaning of subsection (d), it shall be recommitted by the presiding officer, without further motion, to the Committee on the Budget with instructions to report such concurrent resolution back to the Senate or the House of Representatives, as the case may be, within three days (not counting any day on which that House is not in session) in a form which meets the requirements of subsection (e).

(d) MEANING OF INCONSISTENCY.—For purposes of this section, a concurrent resolution on the budget is inconsistent if, with respect to the figures described in and set forth pursuant to section 301(a)—

(1) with respect to budget outlays or new budget authority, the sum of the allocation of totals does not equal total budget outlays or total new budget authority, as the case may be, or

(2) the appropriate level of total revenues less the recommended surplus or plus the recommended deficit does not equal the total budget outlays, or

(3) the estimated revenues combined with the change in revenues does not equal the appropriate level of total revenues, or

(4) the change in public debt limit is not sufficient to allow implementation of the appropriate level of total debt, or

(5) any combination of (1), (2), (3), and (4) above.

(e) ACTION BY BUDGET COMMITTEE AFTER RECOMMITTAL.—When a concurrent resolution on the budget is recommitted to the Committee on the Budget of the Senate or the House of Representatives pursuant to subsection (c), such committee shall report such concurrent resolution back to its House in a form which is not inconsistent and which preserves, to the greatest extent practicable, the spirit and letter of the floor amendments previously adopted.

(f) FLOOR AMENDMENTS AFTER RECOMMITTAL.—During the consideration in either the Senate or the House of Representatives of a concurrent resolution on the budget reported back after recommitment pursuant to

subsection (c), an amendment, or series of amendments, shall not be in order unless it preserves the concurrent resolution in a form which is not inconsistent.

(g) RECORD AND ANALYSIS OF EFFECT OF FLOOR ACTION.—During the consideration in either the Senate or the House of Representatives of a concurrent resolution on the budget, the Director of the Congressional Office of the Budget shall maintain a record of the effect (if any) which floor amendments adopted would have on budget outlays and new budget authority and the figures set forth pursuant to section 301(a). On each day on which a concurrent resolution on the budget is under consideration in either the Senate or the House of Representatives, the Director shall make available to Members of that House, before the House meets on such day, the record so maintained by him as of the close of the preceding day.

CONCURRENT RESOLUTION ON THE BUDGET MUST BE ADOPTED BEFORE APPROPRIATIONS AND CHANGES IN REVENUES AND PUBLIC DEBT LIMIT ARE MADE

SEC. 305. (a) IN GENERAL.—It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution (or amendment thereto) which provides—

(1) new budget authority for a fiscal year,

(2) an increase or decrease in revenues to become effective during a fiscal year, or

(3) an increase or decrease in the public debt limit to become effective during a fiscal year,

until the concurrent resolution for such year referred to in section 301(a) has been adopted by the Congress.

(b) EXCEPTION FOR MULTI-YEAR FUNDING.—In order to provide for multiyear advance funding for programs where for planning purposes there is a need to know in advance the amount of funds which will be available, particularly programs of Federal assistance to State and local governments, subsection (a) shall not apply to new budget authority which first becomes available in a fiscal year following the fiscal year to which the concurrent resolution applies.

LEGISLATION DEALING WITH CONGRESSIONAL BUDGET MUST BE HANDLED BY BUDGET COMMITTEES

SEC. 306. No bill or resolution, and no amendment to any bill or resolution, dealing with any matter which is within the jurisdiction of the Committee on the Budget of either House shall be considered in that House unless it is a concurrent resolution on the budget which has been reported by the Committee on the Budget of that House (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a concurrent resolution.

SUMMARIES OF CONGRESSIONAL BUDGET ACTIONS

SEC. 307. (a) REPORTS ON LEGISLATION PROVIDING NEW BUDGET AUTHORITY OR LIMITING OUTLAYS.—Whenever a committee of either House reports a bill or resolution to its House providing new budget authority or limiting budget outlays, or both, for a fiscal year, the report accompanying that bill or resolution shall contain a statement prepared in consultation with the Director of the Congressional Office of the Budget detailing—

(1) how the new budget authority in that bill or resolution compares with the limitations on, and the applicable appropriate levels of, new budget authority and budget outlays set forth in the most recently adopted concurrent resolution on the budget for such fiscal year;

(2) a projection for the period of five fiscal years beginning with such fiscal year of the budget outlays which will result from that bill or resolution in each fiscal year in such period; and

(3) the impact on State and local governments of the new budget authority and budget outlays authorized by that bill or resolution.

(b) UP-TO-DATE TABULATION OF CONGRESSIONAL BUDGET ACTIONS.—The Director of the Congressional Office of the Budget shall issue a daily report detailing and tabulating the progress of congressional action on legislation providing new budget authority or limiting budget outlays for a fiscal year. Specifically, such report shall include—

(1) an up-to-date tabulation comparing the new budget authority and budget outlays in legislation on which Congress has completed action to the limitations on, and the appropriate levels of, new budget authority and budget outlays set forth in the most recently adopted concurrent resolution on the budget for such fiscal year; and

(2) an up-to-date status report on all new budget authority legislation for such fiscal year in both Houses.

(c) FIVE-YEAR PROJECTION OF CONGRESSIONAL BUDGET ACTION.—After a bill required to be reported for a fiscal year under section 309(b) has been enacted into law, the Director of the Congressional Office of the Budget shall issue a report projecting for the period of five fiscal years beginning with such fiscal year—

(1) total budget outlays and new budget authority for each fiscal year in such period; and

(2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period.

(d) REPORTS ON LEGISLATION PROVIDING NEW TAX EXPENDITURES.—Whenever a committee of either House reports a bill or resolution to its House providing new or increased tax expenditures during a fiscal year, the report accompanying that bill or resolution shall contain a statement prepared in consultation with the Director of the Congressional Office of the Budget detailing—

(1) how the new tax expenditures provided in that bill or resolution will affect the existing levels of tax expenditures as set forth in the most recently adopted concurrent resolution on the budget for such fiscal year, and a justification for any deviation from those levels;

(2) a projection for the period of five fiscal years beginning with such fiscal year of the tax expenditures which will result from that bill or resolution in each fiscal year in such period; and

(3) the impact, if any, on State and local governments of the tax expenditures provided by that bill or resolution.

ACTION ON BILLS PROVIDING NEW BUDGET AUTHORITY

SEC. 308. (a) BILLS TO BE ENACTED BEFORE BEGINNING OF FISCAL YEAR.—In order to promote sound fiscal policies and procedures, the Congress declares that—

(1) on or before September 20 preceding the beginning of a fiscal year all bills and resolutions providing new budget authority for such fiscal year (other than supplemental, deficiency, and continuing appropriations bills and resolutions) and all bills and resolutions providing new tax expenditures during such fiscal year shall be enacted into law; and

(2) before the beginning of a fiscal year, a bill required to be reported under section 309(b) shall be enacted into law.

(b) REQUIRED PROVISION IN NEW BUDGET AUTHORITY LEGISLATION.—Every bill or resolution providing new budget authority for a fiscal year (other than supplemental, deficiency, and continuing appropriations bills and resolutions) shall contain a provision that the new budget authority provided in such bill or resolution shall not become effective until a bill required to be reported under section 309(b) has been enacted into law.

(c) **LEGISLATION FAILING TO COMPLY SUBJECT TO POINT OF ORDER.**—It shall not be in order in either House to consider any bill or resolution providing new budget authority (or any conference report on any such bill or resolution) which fails to comply with the provisions of subsection (b).

ENFORCEMENT OF CEILINGS ON NEW BUDGET AUTHORITY AND BUDGET OUTLAYS

SEC. 309. (a) REPORT BY CONGRESSIONAL OFFICE OF THE BUDGET.—As soon as possible after all bills and resolutions providing new budget authority for a fiscal year (other than supplemental, deficiency, and continuing appropriations bills and resolutions) have been enacted into law, the Director of the Congressional Office of the Budget shall prepare and submit to the Committees on the Budget and the Committees on Appropriations of both Houses a report setting forth for such fiscal year the total amounts of new budget authority and outlays for such fiscal year and a breakdown of such total amounts in such detail as such committees may direct.

(b) **ACTION TO EFFECTUATE BILLS AND RESOLUTIONS PROVIDING NEW BUDGET AUTHORITY.**—After all laws described in subsection (a) for a fiscal year have been enacted and when the total amounts of new budget authority and outlays provided in such laws for such fiscal year do not exceed the limitations set forth in the most recently adopted concurrent resolution on the budget for such fiscal year, the Committee on Appropriations of each House shall, as soon as possible, report to its House a bill providing that the new budget authority provided in such laws shall become effective.

(c) **ACTION IF CONCURRENT RESOLUTION CEILINGS ARE EXCEEDED.**—

(1) If, with respect to any fiscal year, the total amount of new budget authority or outlays provided in laws described in subsection (a) exceeds the limitation on total new budget authority or outlays set forth in the most recently adopted concurrent resolution on the budget for such fiscal year, then the Committee on Appropriations of each House shall, as soon as possible after all laws described in subsection (a) have been enacted, report to its House a bill, to be known as the ceiling enforcement bill, which meets the requirements of paragraph (2).

(2) A ceiling enforcement bill meets the requirements of this paragraph only if it rescinds amounts of new budget authority or other budget authority so that the total new budget authority and outlays for such fiscal year provided by laws described in subsection (a) do not exceed the limitations on total new budget authority and outlays, respectively, for such fiscal year set forth in the most recently adopted concurrent resolution on the budget.

(d) **REQUIRED REPORTING OF CONCURRENT RESOLUTION ON THE BUDGET.**—If—

(1) the ceiling enforcement bill reported under subsection (c) is recommitted, pursuant to section 310(c), by either House to the Committee on Appropriations of that House, or

(2) such bill is not so recommitted by either House, but is not enacted into law, the Committee on the Budget of each House shall report to its House a concurrent resolution on the budget which revises or reaffirms the most recently adopted concurrent resolution on the budget for the fiscal year.

(e) **FINAL CONSIDERATION OF CEILING ENFORCEMENT BILL.**—After a concurrent resolution on the budget reported under subsection (d) has been adopted by Congress, the Committee on Appropriations of each House shall report to its House a ceiling enforcement bill or shall report the ceiling enforcement bill reported under subsection (c) and recommitted to its pursuant to section 310(c). Such ceiling enforcement bill shall

rescind amounts of new budget authority or other budget authority so that the total new budget authority and outlays for the fiscal year do not exceed the limitations set forth in such concurrent resolution.

(f) **PRO RATA RESCISSION BILL.**—If for any fiscal year—

(1) the Congress fails to adopt a concurrent resolution on the budget reported under subsection (d), or

(2) a ceiling enforcement bill reported under subsection (e) is not enacted into law,

the Committee on Appropriations of each House shall report to its House a bill which meets the requirements of subsection (c) (2) and in which all rescissions of budget authority are on a pro rata basis applied to all available budget authority (other than budget authority for outlays which are not controllable).

(g) **CONGRESS MAY NOT ADJOURN OR RECESS UNTIL LAW IS ENACTED.**—After September 30 of any year, it shall not be in order in either the Senate or the House of Representatives to consider any resolution providing for the adjournment or recess of either House for a period of more than three days, unless a bill required to be reported under subsection (b) has been enacted into law for the fiscal year beginning on October 1 of each year.

RULES FOR CONSIDERATION OF BILLS REPORTED UNDER SECTION 309

SEC. 310. (a) SECTION 309 RULES TO APPLY.—Except as provided in subsection (b), the rules provided in section 303 for the consideration of concurrent resolutions on the budget shall also apply to bills reported under section 309.

(b) **DEBATE LIMITATIONS.**—Debate on any bill reported under section 309, and all amendments thereto, shall be limited to not more than thirty hours, which shall be equally divided between the majority and minority parties. Debate on any amendment shall be limited to not more than two hours, which shall be equally divided between those favoring and those opposing the amendment. Debate on a conference report on any such bill shall be limited to not more than ten hours, which shall be equally divided between those favoring and those opposing the conference report.

(c) **RECOMMITTAL OF CEILING ENFORCEMENT BILLS REPORTED UNDER SECTION 309 (c).**—If, after amendments proposed in either House to a ceiling enforcement bill reported under section 309(c) have been considered, such bill does not meet the requirements of section 309(c) (2), it shall be recommitted by the presiding officer, without further motion, to the Committee on Appropriations of that House.

(d) **RECOMMITTAL OF CEILING ENFORCEMENT BILLS REPORTED UNDER SECTION 309 (e) AND PRO RATA RESCISSION BILLS REPORTED UNDER SECTION 309 (f).**—If, after all amendments proposed in either House to a bill reported under section 309(e) or 309(f) have been considered, such bill does not meet the requirements of those sections, it shall be recommitted by the presiding officer without further motion, in the form as then amended to the Committee on Appropriations of that House with instructions to report the bill back to that House within three days (not counting any day on which that House is not in session) in a form which meets the requirements of section 309(e) or 309(f), as the case may be, and which preserves, to the greatest practicable extent, the spirit and the letter of floor amendments previously adopted.

(e) **FLOOR AMENDMENTS AFTER RECOMMITTAL.**—During the consideration in either House of a bill reported back after recommitment pursuant to subsection (d), an amendment or series of amendments shall

not be in order unless it preserves the bill in a form which meets the requirements of section 309(e) or 309(f), as the case may be.

(f) **AMENDMENTS TO MEET REQUIREMENTS ALWAYS IN ORDER.**—Notwithstanding any other rule, if during the consideration in either House of a bill reported under section 309 (c), (e), or (f) such bill does not, at any time, meet the requirements of those sections, an amendment or series of amendments which would, if adopted, make such bill meet such requirements shall always be in order.

(g) **CONFERENCE REPORTS.**—It shall not be in order in either House to consider a conference report on a bill reported under section 309 (c), (e), or (f) if the bill as recommended in the conference report does not meet the requirements of those sections.

SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS MUST BE WITHIN CEILINGS

SEC. 311. After the bill required to be reported for a fiscal year under section 309 (b) has been enacted into law, it shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution providing additional new budget authority for such fiscal year, any amendment to any such bill or resolution, or any conference report on any such bill or resolution, if—

(1) the enactment of such bill or resolution as reported.

(2) the adoption of such amendment and the enactment of such bill or resolution as so amended, or

(3) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the limitation on total new budget authority or the limitation on total budget outlays set forth in the most recently adopted concurrent resolution on the budget for such fiscal year to be exceeded.

TITLE IV—ADDITIONAL RULES TO IMPROVE FISCAL PROCEDURES

BUDGET AUTHORITY LEGISLATION MAY BE REQUIRED TO CONTAIN OUTLAY LIMITATIONS

SEC. 401. (a) ACTION BY BUDGET COMMITTEES.—Whenever a concurrent resolution on the budget for a fiscal year so requires (and to the extent provided in such concurrent resolution)—

(1) bills and resolutions providing new budget authority for that fiscal year reported in each House shall also specify the amount of outlays which may be made during that fiscal year both pursuant to the new budget authority provided by the bill or resolution and to any other available budget authority.

(2) legislation shall be reported by the Committee on Appropriations in each House for that fiscal year specifying the amount of outlays which may be made during the fiscal year under permanent budget authority, and

(3) amendments proposed in each House to bills or resolutions providing new budget authority for that fiscal year which increase or decrease the amount of any budget authority shall also specify the amount of outlays which may be made during that fiscal year pursuant to the budget authority so increased or decreased.

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

(c) **STUDIES AND ASSISTANCE BY CONGRESSIONAL OFFICE OF THE BUDGET.**—The Director of the Congressional Office of the Budget shall undertake studies and provide assistance to the committees of both Houses which have jurisdiction over legislation pro-

viding budget authority to enable such committees to comply with the provisions of subsection (a).

LIMITATION ON NEW ADVANCE BUDGET AUTHORITY

SEC. 402. (a) LEGISLATION SUBJECT TO POINT OF ORDER.—It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution which provides new advance budget authority (or any amendment which provides new advance budget authority) unless such bill or resolution, or such amendment, also provides that the new advance budget authority is to be exercised for any fiscal year only to such extent or in such amounts as are provided for such fiscal year in appropriation Acts or other laws enacted after the enactment of such bill or resolution.

(b) NEW ADVANCE BUDGET AUTHORITY DEFINED.—For purposes of subsection (a)—

(1) NEW ADVANCE BUDGET AUTHORITY.—The term "new advance budget authority" means advance budget authority provided by law enacted after the date of enactment of this Act, including any increase in, or addition to, any advance budget authority provided by law in effect on the date of enactment of this Act.

(2) ADVANCE BUDGET AUTHORITY.—The term "advance budget authority" means authority provided by law, whether on a temporary or permanent basis—

(A) to enter into contracts, under which the United States is obligated to make outlays, which have not been provided for in advance by appropriation Acts,

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

(C) to guarantee on behalf of the United States the repayment of indebtedness (other than indebtedness described in subparagraph (B)), which has not been provided for in advance by appropriation Acts,

(D) to make payments (including loans and grants), which have not been provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing such authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by such law, and

(E) to obligate the United States to make outlays by any other means which has not been provided for in advance by appropriation Acts.

(c) REFERENCE OF BILLS AND RESOLUTIONS.—All bills and resolutions introduced in the Senate which authorize the exercise of new advance budget authority shall be referred to the Committee on Appropriations of the Senate. No committee of the Senate other than the Committee on Appropriations shall have jurisdiction to report any bill or other measure which authorizes the exercise of new advance budget authority. All bills and resolutions introduced in the House of Representatives which authorize the exercise of new advance budget authority shall be referred to the Committee on Appropriations of the House. No committee of the House other than the Committee on Appropriations shall have jurisdiction to report any bill or resolution which authorizes the exercise of new advance budget authority.

REQUIREMENT OF ADVANCE AUTHORIZATIONS BY LEGISLATIVE COMMITTEES

SEC. 403. It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution (or conference report thereon) authorizing the enactment of new budget authority for any fiscal year after May 31 preceding the beginning of such fiscal year.

JURISDICTION OF APPROPRIATION COMMITTEES

SEC. 404. (a) AMENDMENT OF SENATE RULES.—Subparagraph (c) of paragraph 1 of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(c) Committee on Appropriations, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Except as provided in subparagraph (r) 1, appropriation of the revenue for the support of the Government.

"2. Rescission of appropriations.

"3. The amount of outlays for a fiscal year under permanent budget authority, to the extent section 401(a) (2) of the Federal Act To Control Expenditures and Establish National Priorities applies for such fiscal year.

"4. The exercise of new advance budget authority within the meaning of section 402 of the Federal Act To Control Expenditures and Establish National Priorities."

(b) AMENDMENT OF HOUSE RULES.—Clause 2 of rule XI of the Rules of the House of Representatives is amended by redesignating paragraph (b) as (e) and by inserting after paragraph (a) the following new paragraphs:

"(b) Rescission of appropriations.

"(c) The amount of outlays for a fiscal year under permanent budget authority, to the extent section 401(a) (2) of the Federal Act To Control Expenditures and Establish National Priorities applies for such fiscal year.

"(d) The exercise of new advance budget authority within the meaning of section 402 of the Federal Act To Control Expenditures and Establish National Priorities."

TITLE V—CHANGE OF FISCAL YEAR

FISCAL YEAR TO BEGIN OCTOBER 1

SEC. 501. Section 237 of the Revised Statutes (31 U.S.C. 1020) is amended to read as follows:

"Sec. 237. (a) The fiscal year of the Treasury of the United States, in all matters of accounts, receipts, expenditures, estimates, and appropriations—

"(1) shall, through June 30, 1974, commence on July 1 of each year and end on June 30 of the following year;

"(2) shall for the period commencing July 1, 1974, and ending on September 30, 1975, be for such period; and

"(3) shall, beginning on October 1, 1975, commence on October 1 of each year and end on September 30 of the following year.

"(b) All accounts of receipts and expenditures required by law to be published annually shall be prepared and published for each fiscal year as established by subsection (a)."

SPECIAL AUTHORIZATION OF APPROPRIATIONS

SEC. 502. In the case of any law enacted before the date of the enactment of this Act which authorizes the appropriation of a specified amount (or which authorizes the appropriation of sums not to exceed a specified amount) for the fiscal year commencing July 1, 1974, the amount so specified is hereby increased by 25 percent.

TRANSMITTAL OF BUDGET

SEC. 503. Section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by striking out the first sentence and inserting in lieu thereof the following: "The President shall transmit to the Congress the budget which shall set forth his budget message, summary data and text, and supporting detail. The budget for any fiscal year beginning before October 1, 1975, shall be transmitted during the first fifteen days of that regular session of the Congress which commences prior to the beginning of the fiscal year, and the budget for any fiscal year beginning on or after October 1, 1975, shall be transmitted on or before February 1 preceding the beginning of the fiscal year."

ACCOUNTING PROCEDURES

SEC. 504. (a) Subsection (a) (1) of the first section of the Act entitled "An Act to simplify accounting, facilitate the payment of obligations, and for other purposes", approved July 25, 1956, as amended (31 U.S.C. 701), is amended to read as follows:

"(1) The obligated balance shall be transferred, at the time specified in subsection (b) (1) of this section, to an appropriation account of the agency or subdivision thereof responsible for the liquidation of the obligations, in which account shall be merged the amounts so transferred from all appropriation accounts for the same general purposes; and"

(b) Subsection (b) of such section is amended to read as follows:

"(b) (1) Any obligated balance referred to in subsection (a) (1) of this section shall be transferred as follows:

"(A) for any fiscal year or years ending on or before June 30, 1974, on that June 30 which falls in the first month of June which occurs twenty-four months after the end of such fiscal year or years; and

"(B) for any fiscal year commencing on or after July 1, 1974, on September 30 of the second fiscal year following the fiscal year or years for which the appropriation is available for obligation.

"(2) The withdrawals required by subsection (a) (2) of this section shall be made—

"(A) for any fiscal year ending on or before June 30, 1974, not later than September 30 of the fiscal year immediately following the fiscal year in which the period of availability for obligation expires; and

"(B) for any fiscal year commencing on or after July 1, 1974, not later than January 1 following the fiscal year in which the period of availability for obligation expires."

CONVERSION OF AUTHORIZATIONS OF APPROPRIATIONS

SEC. 505. Any law providing for an authorization of appropriations commencing on July 1 of a year shall, if that year is any year after 1974, be considered as meaning October 1 of that year. Any law providing for an authorization of appropriations ending on June 30 of a year shall, if that year is any year after 1974, be considered as meaning September 30 of that year. Any law providing for an authorization of appropriation for the fiscal year 1975 or any fiscal year thereafter shall be construed as referring to that fiscal year ending on September 30 of the calendar year having the same calendar year number as the fiscal year number.

ECONOMIC REPORTS

SEC. 506. (a) Section 3 of the Employment Act of 1946 (15 U.S.C. 1022), is amended by striking out "The President shall transmit to the Congress not later than January 20 of each year" and inserting in lieu thereof the following: "Not later than January 20 of each year before 1975, and not later than February 5 of each year after 1974, the President shall transmit to the Congress".

(b) Section 5(b) (3) of such Act (15 U.S.C. 1024) is amended by striking out "(beginning with the year 1947)" and inserting in lieu thereof "before 1975 and not later than March 20 of each year after 1974."

REPEALS

SEC. 507. The following provisions of law are repealed:

(1) The ninth paragraph under the headings "Legislative Establishment", "Senate", of the Deficiency Appropriation Act, fiscal year 1934 (48 Stat. 1022; 2 U.S.C. 66); and

(2) The proviso to the second paragraph under the headings "House of Representatives", "Salaries, Mileage, and Expenses of Members", of the Legislative-Judiciary Appropriation Act, 1955 (68 Stat. 400; 2 U.S.C. 81).

March 13, 1974

TECHNICAL AMENDMENT

SEC. 508. (a) Section 105 of title 1, United States Code, is amended by striking out "June 30" and inserting in lieu thereof "September 30".

(b) The provisions of this section shall be effective with respect to Acts making appropriations for the support of the Government for any fiscal year commencing on or after July 1, 1974.

TITLE VI—AMENDMENTS TO BUDGET AND ACCOUNTING ACT, 1921, AND ANALYSES PRESIDENTIAL BUDGET TO INCLUDE SAME ELEMENTS AS CONGRESSIONAL BUDGET AND TAX EXPENDITURES

SEC. 601. Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by adding at the end thereof the following new subsections:

"(d) The Budget transmitted pursuant to subsection (a) for each fiscal year shall set forth separately the items enumerated in subsection (a) (other than paragraph (9)) of section 301 of the Federal Act to Control Expenditures and Establish National Priorities.

"(e) The budget transmitted pursuant to subsection (a) for each fiscal year shall set forth the existing levels of tax expenditures (the tax expenditures budget) by major budget categories, and an estimate, based on projected economic factors, of any anticipated change in the levels of tax expenditures for that fiscal year. For purposes of this subsection, the terms 'tax expenditures' and 'tax expenditures budget' have the meanings given to them by section 2(3) of the Federal Act to Control Expenditures and Establish National Priorities."

FIVE-YEAR BUDGET PROJECTIONS

SEC. 602. (a) Section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended—

(1) by inserting after "ensuing fiscal year" in paragraph (5) "and the four fiscal years immediately following the ensuing fiscal year";

(2) by striking out "such year" in paragraph (5) and inserting in lieu thereof "such years"; and

(3) by inserting after "ensuing fiscal year" in paragraph (6) "and the four fiscal years immediately following the ensuing fiscal year".

(b) Section 201 of such Act is amended by adding after subsection (e) (as added by section 601 of this Act) the following new subsection:

"(f) The budget transmitted pursuant to subsection (a) for each fiscal year shall include (1) an examination of proposed expenditures (including tax expenditures) and appropriations and estimated receipts within a comprehensive framework of existing and proposed programs and (2) the bases used for the proposed expenditures (including tax expenditures) and appropriations and estimated receipts."

BUDGET DATA BASED ON CONTINUATION OF EXISTING LEVEL OF SERVICES

SEC. 603. On or before December 1 of each year (beginning with 1974), the President shall submit to the Committees on the Budget of the Senate and the House of Representatives the estimated expenditures and proposed appropriations, by functional and subfunctional category, which would be included in the budget to be submitted pursuant to section 201 of the Budget and Accounting Act, 1921, for the ensuing fiscal year if all programs and activities were carried on during such ensuing fiscal year at the same level as the fiscal year in progress and without policy changes in such programs and activities.

ANALYSIS BY CONGRESSIONAL OFFICE OF THE BUDGET

SEC. 604. (a) With respect to each bill or resolution of a public character reported by

any committee of the Senate or the House of Representatives (except the Committee on Appropriations and the Committee on the Budget of each House), the Director of the Congressional Office of the Budget shall prepare and make available for inclusion in the report accompanying such bill or resolution—

(1) an estimate of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is to become effective and in each of the four fiscal years following such fiscal year, together with the basis for each such estimate;

(2) a comparison of the estimate of costs described in paragraph (1) with any estimate of costs made by such committee and any Federal agency; and

(3) a list of existing and proposed Federal programs, including assistance from tax expenditures, which provide or would provide financial assistance for the objectives of the program or programs authorized by the bill or resolution.

(b) It shall not be in order in either the Senate or the House of Representatives to consider any bill or joint resolution unless the report accompanying such bill or resolution contains the material described in subsection (a) prepared by the Director of the Congressional Office of the Budget.

(c) Section 252 of the Legislative Reorganization Act of 1970 is repealed.

TITLE VII—PILOT TESTING AND EVALUATION OF PROGRAMS

PILOT TESTING OR EVALUATION OF MAJOR OUTLAY PROGRAMS

SEC. 701. (a) Except as provided in subsection (c), it shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution which establishes or extends a major outlay program unless such bill or resolution provides (or a prior law has provided) for a pilot test or an evaluation of such program, to be completed not later than three years after the enactment of such bill or resolution.

(b) For the purpose of this title, a major outlay program is any program (including a program involving tax expenditures) estimated to cost more than \$100,000,000 for the first three fiscal years of the program or extension thereof, as indicated in the material prepared by the Director of the Congressional Office of the Budget and included in the report accompanying the bill or resolution under section 604 of this Act.

(c) Subsection (a) shall not apply to a bill or resolution if the committee report accompanying it contains a statement, together with full reasons therefor, that the committee has given full consideration to pilot testing and program evaluation and, in its judgment, neither would be feasible or desirable for the program established or extended.

(d) A pilot test of a major outlay program shall—

(1) specify the clear objective of the program, as well as the criteria which will be used in the measurements,

(2) include a replica as nearly as possible of the program if it were implemented on a permanent basis,

(3) be conducted for a defined period of time,

(4) be conducted by a department or agency of the Government or a public or private organization specified in the law providing for the pilot test,

(5) provide a valid comparison criterion for evaluation, including one or more of the following: control groups; base rates derived from prior time frames; or other valid measurement, and

(6) test alternative options toward achievement of the objectives specified in paragraph (1).

(e) The department, agency, or organization which conducts the pilot test or program evaluation shall report the results of the test or evaluation, and the data or other

information upon which the results are based, to the committees of the Senate and the House of Representatives which have jurisdiction to report legislation implementing the program on a broad scale or authorizing its further extension. Such report shall be submitted in sufficient time to permit adequate consideration by the Congress of legislation to implement the program on a broader scale or to authorize its further extension.

(f) Nothing contained in this title shall preclude simultaneous multiple pilot tests of a major outlay program to determine the most feasible alternative before broader implementation.

(g) Each committee to which a report of a pilot test or program evaluation with respect to a major outlay program is submitted under subsection (e) shall submit to its House a report on the test or evaluation. It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution which authorizes the enactment of budget authority for the major outlay program, for any period after the date for completion of the pilot test or program evaluation of the major outlay program, until the committee or committees of that House have submitted the report required by the preceding sentence.

COMMITTEE ANALYSIS

SEC. 702. (a) Each committee to which a report of a pilot test or program evaluation, with respect to a major outlay program, is submitted under section 701 shall analyze and consider the results of the test or evaluation in its consideration of legislation to implement the major outlay program on a broader scale or to extend authorization of the program, as the case may be. Such analysis shall include a review of the data and other information upon which the department, agency, or organization which conducted the test or evaluation based its findings, results, and recommendations. In conducting such analysis, the committees of the two Houses may conduct hearings jointly.

(b) The report of a committee on legislation to implement on a broader scale or extend authorization for a major outlay program shall include (but not be limited) to the following matters:

(1) Suitability of the Federal Government to implement such program on a broader scale or to continue the conduct of such program.

(2) A summary of any available evaluations or analyses of such program, including cost benefit studies, in relation to other alternative approaches.

(3) In the event the legislation would change a current method of dealing with a specific problem, a comparison of the current method used and the method used in the test and an analysis in terms of relative effectiveness.

REVIEW AND EVALUATION BY THE COMPTROLLER GENERAL

SEC. 703. Part I of title II of the Legislative Reorganization Act of 1970 (84 Stat. 1167; Public Law 91-510; 31 U.S.C. 1151 and following) is amended by striking out section 204 and inserting in lieu thereof the following:

"ASSISTANCE TO CONGRESS BY GENERAL ACCOUNTING OFFICE

"Sec. 204. (a) The Comptroller General shall review and evaluate the results of Government programs and activities carried on under existing law when ordered by either House of Congress, or upon his own initiative, or when requested by any committee of the House of Representatives or the Senate, or any joint committee of the two Houses having jurisdiction over such programs and activities.

"(b) The Comptroller General upon request of any committee of the House of Representatives or the Senate, any joint committee of the two Houses, or any Member of either House—

(1) in developing specifications for legislative requirements for executive branch evaluations of Federal programs and activities, including reporting the results of such evaluations to the Congress, and

(2) in analyzing and assessing program reviews, evaluation studies, or cost-benefit studies prepared by or for any Federal agency or organization to assist such committee in meeting the requirements of section 702 and section 802 of the Federal Act to Control Expenditures and Establish National Priorities.

(c) The Comptroller General shall develop and prescribe principles and standards for the evaluation of Federal programs and activities, and submit an annual report.

(d) The Comptroller General shall monitor the various recurring reporting requirements of the Congress and committees and make recommendations to the Congress and committees for changes and improvements in these reporting requirements to meet the congressional information needs ascertained by the Comptroller General, to enhance their usefulness to the congressional users, and to eliminate duplicative or unneeded reporting.

(e) In carrying out his responsibilities under this section, the Comptroller General is authorized to establish an Office of Program Review and Evaluation within the General Accounting Office. The Comptroller General is authorized to employ not to exceed ten experts on a permanent, temporary, or intermittent basis and to obtain services as authorized by section 3109 of title 5, United States Code, but in either case at a rate (or the daily equivalent) for individuals not to exceed that prescribed, from time to time, for level V of the Executive Schedule under section 5316 of title 5, United States Code."

TITLE VIII—LIMITATION ON PERIOD OF AUTHORIZATION OF NEW BUDGET AUTHORITY FOR MAJOR OUTLAY PROGRAMS; REQUIRED REVIEWS

AUTHORIZATION OF NEW BUDGET AUTHORITY LIMITED TO THREE FISCAL YEARS

SEC. 801. (a) No law enacted after the effective date of this title which authorizes new budget authority for any major outlay program may authorize such new budget authority for a period of more than three fiscal years.

(b) All provisions of law in effect on the effective date of this title which authorize new budget authority for any major outlay program for a period of more than three fiscal years, beginning with the first fiscal year which commences after such date, shall cease to be effective at the end of the fourth fiscal year beginning after such date.

(c) All provisions of law in effect on the effective date of this title which authorize new budget authority for any major outlay program for an unspecified number of fiscal years shall cease to be effective at the end of the fifth year beginning after such date.

(d) Subsections (a), (b), and (c) shall not apply to any major outlay program funded in whole or major part of user taxes.

(e) (1) For purposes of this title, the term "major outlay program" means a program for which the sum of—

(A) the amount of new budget authority authorized to be provided for the fiscal year in progress (or, if no new budget authority has been authorized, the amount of new budget authority requested for such fiscal year in the budget submitted by the President), and

(B) the aggregate of the new budget authority provided for the two preceding fiscal years,

is more than \$100,000,000. Such term includes, for purposes of subsection (a), a program enacted after the effective date of this

title which is a major outlay program as defined in section 701(b).

(2) For purposes of this title, a program for which new budget authority has not been provided or authorized (or requested) for a period of three fiscal years, shall be treated as a major outlay program (until new budget authority has been provided or authorized (or requested) for three fiscal years), if the sum of—

(A) the amount, if any, of new budget authority authorized to be provided for the fiscal year in progress (or, if no budget authority has been authorized, the amount, if any, of new budget authority requested for such fiscal year in the budget submitted by the President),

(B) the new budget authority, if any, provided for such program for any preceding fiscal year in such period, and

(C) the estimated cost of such program (as determined by the Director of the Congressional Office of the Budget) for any fiscal year in such period for which no amount is applicable under paragraph (1) or (2), is more than \$100,000,000.

COMPREHENSIVE REVIEW AND STUDY

SEC. 802. (a) (1) During the period prescribed in subsection (b), each committee of the Senate and the House of Representatives which has jurisdiction to report legislation authorizing new budget authority for a major outlay program shall conduct a comprehensive review and study of such program and shall submit a report thereon to the Senate or the House, as the case may be. In conducting any such review and study, the committee shall receive testimony and evidence in hearings open to the public, except that such hearings may be closed to the public upon the same terms and conditions as hearings of the Committee on the Budget of that House may be closed to the public.

(2) Prior to the beginning of the period (or as soon thereafter as possible), during which any committee of the Senate or the House of Representatives is to conduct a comprehensive review and study of a major outlay program, the head of the department or agency of the Government which administers the program (or any part thereof) shall submit to the committee an evaluation and analysis of the program.

(b) (1) The period referred to in subsection (a) for the first comprehensive review and study of a major outlay program is—

(A) with respect to any major outlay program in effect on the effective date of this title, the last fiscal year commencing after such effective date for which new budget authority is authorized for such program (after the application of section 801), except that (i) such review and study may be conducted in a fiscal year preceding such last fiscal year if the committees of both Houses required to conduct such review and study agree to conduct it during such preceding fiscal year, and (ii) if such last fiscal year precedes the third fiscal year commencing after such date, such review and study may be conducted during such third fiscal year if the committees of both Houses required to conduct such review and study agree to conduct it during that fiscal year, and

(B) with respect to any major outlay program enacted after such effective date, the third fiscal year during which the program is in effect.

For purposes of applying this paragraph, the provisions of section 801 shall be applied without regard to subsection (d) thereof.

(2) The period referred to in subsection (a) for the comprehensive review and study of a major outlay program (after the first such review and study) is the third fiscal year following the period during which the preceding review and study was conducted.

(c) Insofar as possible, the committees of the Senate and House of Representatives

which have jurisdiction over a major outlay program shall conduct the review and study required by subsection (a) at the same time. Such committees may conduct the hearings required by such subsection jointly.

(d) The report of a committee on a review and study of a major outlay program shall contain an analysis of the program and the committee's evaluation of the overall success or failure of the program, and shall include (but not be limited to) the following matters:

(1) Whether the program objectives are still relevant.

(2) Whether the program has adhered to the original and intended purpose.

(3) Whether the program has had any substantial impact on solving the problems and objectives dealt with in the program.

(4) The impact of the program on the functions and freedom of the private sector of the economy.

(5) The feasibility of alternative programs and methods for dealing with the problems dealt with in the program and their cost effectiveness.

(6) The relation of all Government and private programs dealing with the problems dealt with in the program.

(7) An examination of proposed legislation pending in either House dealing with the problems being dealt with in the program, including an examination of each proposed legislation in the context of—

(A) existing laws,

(B) other proposed legislation,

(C) private efforts, and

(D) whether public efforts will hinder or help private efforts.

COORDINATION WITH TITLE VII

SEC. 803. (a) If a committee of the Senate or the House of Representatives which is required under section 802 to conduct a comprehensive review and study of a major outlay program is also (but for the provisions of this section) required under section 702, during the same period, to analyze and consider the results of an evaluation of such program under section 701, such committee shall conduct the comprehensive review and study of such program under section 802, and the provisions of section 702 shall not apply with respect to such evaluation.

(b) If a committee of the Senate or the House of Representatives which (but for this subsection) is required under section 702 to analyze and consider the results of an evaluation of a major outlay program has conducted a comprehensive review and study of such program during either of the two fiscal years preceding the period when such analysis is otherwise required, the provisions of section 702 shall not apply with respect to such evaluation.

LEGISLATION SUBJECT TO POINT OF ORDER

SEC. 804. It shall not be in order in either the Senate or the House of Representatives to consider—

(1) any bill or resolution which authorizes the enactment of new budget authority for any major outlay program for any fiscal year beginning after the period during which the committee of that House which has jurisdiction over the program is required to conduct a comprehensive review and study under section 802, until that committee has submitted the report thereon required by such section, or

(2) any bill or resolution which authorizes the enactment of new budget authority for any major outlay program for a period of more than three fiscal years.

TITLE IX—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

SEC. 901. That part of title II of the Legislative Reorganization Act of 1970 which precedes section 201 thereof (84 Stat. 1187;

Public Law 91-510; 31 U.S.C. chapter 22) is amended by striking out—

"TITLE II—FISCAL CONTROLS

"PART I—BUDGETARY AND FISCAL INFORMATION AND DATA"

and inserting in lieu thereof—

"TITLE II—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

"PART I—FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION"

SEC. 902. Part 1 of title II of the Legislative Reorganization Act of 1970 (84 Stat. 1167; Public Law 91-510; 31 U.S.C. 1151 and following) is amended by striking out sections 201, 202, and 203 and inserting in lieu thereof the following:

"FEDERAL FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION SYSTEMS

"Sec. 201. The Secretary of the Treasury and the Director of the Office of Management and Budget, in cooperation with the Comptroller General of the United States, shall develop, establish, and maintain, for use by all Federal agencies, standardized data and information systems for fiscal, budgetary, and program-related data and information. The development, establishment, and maintenance of such systems shall be carried out so as to meet the needs of the various branches of the Federal Government and, insofar as practicable, of governments at the State and local level.

"STANDARDIZATION OF TERMINOLOGY, DEFINITIONS, CLASSIFICATIONS, AND CODES FOR FISCAL BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"Sec. 202. (a) The Comptroller General of the United States, in cooperation with the Secretary of the Treasury and the Director of the Office of Management and Budget, shall develop, establish, maintain, and publish standard terminology, definitions, classifications, and codes, for Federal fiscal, budgetary, and program-related data and information. The authority contained in this part shall include, but not be limited to, data and information pertaining to Federal fiscal policy, revenues, receipts, expenditures, functions, programs, projects, and activities and shall be carried out so as to meet the needs of the various branches of the Federal Government and, insofar as practicable, of governments at the State and local level. Such standard terms, definitions, classifications, and codes shall be used by all executive departments and agencies in supplying to the Congress fiscal, budgetary, and program-related data and information.

"(b) In carrying out this responsibility, the Comptroller General of the United States shall cooperate with and give particular consideration to the needs of the Committee on the Budget of the House of Representatives and the Senate and the Congressional Office of the Budget.

"(c) The Comptroller General of the United States shall submit to both Houses of the Congress, on or before June 30, 1975, a report containing his recommendations for the initial standard terms, definitions, and classifications, as described in this part, and shall recommend legislation to implement them as may be necessary.

"(d) The Comptroller General shall monitor the various recurring reporting requirements of the Congress and committees and make recommendations to the Congress and committees for changes and improvements in these reporting requirements to meet the congressional information needs ascertained by the Comptroller General, to enhance their usefulness to the congressional users, and to eliminate duplicative or unneeded reporting.

"AVAILABILITY TO AND USE BY THE CONGRESS AND STATE AND LOCAL GOVERNMENTS OF FEDERAL FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"Sec. 203. (a) Upon request of any committee of either House, of any joint committee of the two Houses, of the Comptroller General, or of the Director of the Congressional Office of the Budget, the Secretary of the Treasury, the Director of the Office of Management and Budget, or the heads of the various executive agencies shall—

"(1) furnish to the congressional committee, the joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget, information as to the location and nature of available fiscal, budgetary, and program-related data and information;

"(2) prepare summary tables of such data and information and any related information deemed necessary by the requesting committee, joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget; and

"(3) furnish any program evaluations conducted or commissioned by any executive agency as deemed necessary by the requesting committee, joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget.

"(b) The Comptroller General, in cooperation with the Director of the Congressional Office of the Budget, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall—

"(1) develop, establish, and maintain an up-to-date inventory and directory of sources and information systems containing fiscal, budgetary, and program-related data and information and a brief description of their content;

"(2) provide, upon request, assistance to committees, joint committees, and Members of Congress in securing Federal fiscal, budgetary, and program-related data and information from the sources identified in the inventory and directory described in this part; and

"(3) furnish, upon request, assistance to committees, joint committees, and Members of Congress in appraising and analyzing fiscal, budgetary, and program-related data and information secured from the sources identified in the inventory and directory described in this part.

"(c) The Comptroller General and the Director of the Congressional Office of the Budget shall, to the extent they deem necessary, develop, establish, and maintain a central file or files of the data and information required to carry out the purposes of this title. Such a file or files shall be established to meet recurring requirements of the Congress for fiscal, budgetary, and program-related data and information and shall include, but not be limited to, data and information pertaining to budget requests, congressional authority to obligate and spend, apportionment and reserve actions, and obligations and expenditures. Such file or files and their indexes shall be maintained in such a manner as to facilitate their use by the committees of both Houses, joint committees, and other congressional agencies through modern data processing and communications techniques.

"(d) The Comptroller General, in cooperation with the Director of the Congressional Office of the Budget, the Director of the Office of Management and Budget, the Administrator of the General Services Administration, and appropriate representatives of State and local governments, shall develop procedures to assure access by State and local governments to such fiscal, budgetary, and program

information as may be necessary for the accurate and timely determination by these governments of the impact of Federal assistance upon their budgets."

SEC. 903. The table of contents of title II of the Legislative Reorganization Act of 1970 (84 Stat. 1140; Public Law 91-510; 31 U.S.C. chapter 22) is amended by striking out—

"TITLE II—FISCAL CONTROLS

"PART I—BUDGETARY AND FISCAL INFORMATION AND DATA

"Sec. 201. Budgetary and fiscal data processing system.

"Sec. 202. Budget standard classifications.

"Sec. 203. Availability to Congress of budgetary, fiscal, and related data."

and inserting in lieu thereof—

"TITLE II—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

"PART I—FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"Sec. 201. Federal fiscal, budgetary, and program-related data and information systems.

"Sec. 202. Standardization of terminology, definitions, classifications, and codes for fiscal, budgetary, and program-related data and information.

"Sec. 203. Availability to and use by the Congress and State and local governments of Federal fiscal, budgetary, and program-related data and information."

TITLE X—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

CONFORMING AMENDMENTS TO STANDING RULES OF THE SENATE

SEC. 1001. Paragraph 1 of rule XXV of the Standing Rules of the Senate is amended—

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

(2) by striking out "The" in subparagraph (h)2 and inserting in lieu thereof "Except as provided in subparagraph (r) (1), the"; and

(3) by striking out "Budget" in subparagraph (j) (1) (A) and inserting in lieu thereof "Except as provided in subparagraph (r) (1), budget".

CONFORMING AMENDMENT TO HOUSE RULES

SEC. 1002. Rule XI of the Rules of the House of Representatives is amended by inserting immediately below clause 22 (as renumbered by section 102(b) of this Act) thereof the following new clause:

"22A. The respective areas of legislative jurisdiction under this rule are modified by title I of the Federal Act to Control Expenditures and Establish National Priorities."

AMENDMENTS TO LEGISLATIVE REORGANIZATION ACT OF 1946

SEC. 1003. (a) Section 133 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a) is amended—

(1) by inserting "and the Committee on the Budget" after "Appropriations" in subsections (d) and (f), and

(2) by inserting "or the Committee on the Budget" after "Appropriations" in subsection (e).

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

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

(d) Section 136(c) of such Act (2 U.S.C. 190d) is amended by striking out "Com-

mittee on Appropriations of the Senate and the Committees on Appropriations," and inserting in lieu thereof "Committees on Appropriations and the Budget of the Senate and the Committees on Appropriations, the Budget."

AMENDMENTS TO LEGISLATIVE REORGANIZATION ACT OF 1970

SEC. 1004. (a) Section 232 of the Legislative Reorganization Act of 1970 (31 U.S.C. 1172) is amended by renumbering paragraphs (2) and (3) as (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) The Committees on the Budget of the Senate and House."

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

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

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

"(b) The provisions of subsection (a) shall also apply to the Committee on the Budget of the Senate."

EXERCISE OF RULEMAKING POWERS

SEC. 1005. (a) The provisions of this title (except section 1006) and titles I, III, IV, VII (except section 703), and VIII are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supercede other rules only to the extent that they are inconsistent therewith; and

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

(b) Any rule provided in this Act may be waived or suspended by the Senate or the House of Representatives only by a vote of two-thirds of the Members voting, a quorum being present.

(c) If a point of order is made in either the Senate or the House of Representatives, and sustained by the Presiding Officer of that House, that any bill, resolution, amendment, motion, or other matter is not in order by reason of any rule provided in this Act, the decision of the Presiding Officer may be overruled only by a vote of two-thirds of the Members voting, a quorum being present.

EFFECTIVE DATES

SEC. 1006. (a) Except as provided in subsections (a) and (b), the provisions of this Act shall take effect on the date of its enactment.

(b) Titles III and VI (except section 604) shall apply with respect to the fiscal year beginning on October 1, 1975, and succeeding fiscal years.

(c) Section 401, section 403, section 604, title VII (except section 703), and title VIII shall take effect on the first day of the first session of the Congress following the date of the enactment of this Act.

The amendments of the Committee on Rules and Administration were to strike out the language of the Committee on Government Operations and insert:

SHORT TITLE; TABLE OF CONTENTS

SECTION 1. (a) SHORT TITLE.—This Act may be cited as the "Congressional Budget Act of 1974".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Declaration of purposes.

Sec. 3. Definitions.

TITLE I—ESTABLISHMENT OF SENATE AND HOUSE BUDGET COMMITTEES

Sec. 101. Budget Committee of the Senate.

TITLE II—CONGRESSIONAL OFFICE OF THE BUDGET

Sec. 201. Establishment of Office.

Sec. 202. Duties and functions.

Sec. 203. Public access to budget data.

TITLE III—CONGRESSIONAL BUDGET PROCESS

Sec. 301. Adoption of first concurrent resolution.

Sec. 302. Reports after adoption of concurrent resolutions.

Sec. 303. First concurrent resolution on the budget must be adopted before budget authority and changes in revenues and public debt limit are made.

Sec. 304. Permissible revisions of concurrent resolutions on the budget.

Sec. 305. Provisions relating to the consideration of concurrent resolutions on the budget.

Sec. 306. Required action by conference committee.

Sec. 307. Legislation dealing with congressional budget must be handled by budget committees.

Sec. 308. Summaries of congressional budget actions.

Sec. 309. Action on bills providing new budget authority.

Sec. 310. Second required concurrent resolution and reconciliation bill.

Sec. 311. New budget authority must be within appropriate levels.

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

Sec. 401. Bills providing new advance spending authority.

Sec. 402. Reporting of authorizing legislation.

Sec. 403. Analyses by Congressional Office of the Budget.

Sec. 404. Jurisdiction of Appropriations Committees.

TITLE V—CHANGE OF FISCAL YEAR

Sec. 501. Fiscal year to begin October 1.

Sec. 502. Transmittal of budget.

Sec. 503. Transition to new fiscal year.

Sec. 504. Accounting procedures.

Sec. 505. Conversion of authorizations of appropriations.

Sec. 506. Economic reports.

Sec. 507. Repeals.

Sec. 508. Technical amendment.

TITLE VI—AMENDMENTS TO BUDGET AND ACCOUNTING ACT, 1921

Sec. 601. Matters to be included in President's budget.

Sec. 602. Midyear review.

Sec. 603. Five-year budget projections.

Sec. 604. Allowances for supplemental budget authority and uncontrollable outlays.

Sec. 605. Budget data based on continuation of existing level of services.

Sec. 606. Removal of exemptions from budget process.

TITLE VII—PROGRAM REVIEW AND EVALUATION

Sec. 701. Review and evaluation by standing committees.

Sec. 702. Review and evaluation by the Comptroller General.

TITLE VIII—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

Sec. 801. Amendment to Legislative Reorganization Act of 1970.

TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

Sec. 901. Conforming amendments to standing rules of the Senate.

Sec. 902. Amendments to Legislative Reorganization Act of 1946.

Sec. 903. Exercise of rulemaking powers.

Sec. 904. Effective dates.

Sec. 905. Application of congressional budget process to fiscal year 1976.

TITLE X—APPROPRIATION RESERVES

Sec. 1001. Amendment to Antideficiency Act.

Sec. 1002. Disclaimer.

DECLARATION OF PURPOSES

SEC. 2. (a) PURPOSES.—The Congress declares that it is essential—

(1) to establish national goals and priorities to meet the needs of a strong national economy;

(2) to provide for the congressional determination each year of the appropriate level of Federal revenues and expenditures;

(3) to assure the most effective use of Federal revenues; and

(4) to assure effective control over the budgetary process.

(b) MEANS OF ACCOMPLISHMENT.—In order to achieve these purposes, it is necessary—

(1) to establish a congressional budgeting system;

(2) to create budget committees with responsibility to oversee and establish fiscal guidelines for the implementation of national goals and priorities; and

(3) to require the executive branch to furnish information in a manner that will assist the Congress in discharging its duties.

DEFINITIONS

SEC. 3. (a) IN GENERAL.—For purposes of this Act—

(1) The terms "budget outlays" and "outlays" mean, with respect to any fiscal year, expenditures and net lending of funds under budget authority during the fiscal year.

(2) The term "budget authority" means authority provided by law to enter into obligations which will result in immediate or future outlays involving Government funds, except that such term does not include authority to insure or guarantee the repayment of indebtedness incurred by another person or government.

(3) The term "tax expenditures" means those revenue losses attributable to provisions of the Federal tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability representing a deviation from the normal tax structure for individuals and corporations. The term "tax expenditures budget" means an enumeration of such tax expenditures.

(4) The term "concurrent resolution on the budget" means a concurrent resolution referred to in section 301, 304, or 310.

(5) The term "appropriation Act" means an Act referred to in section 105 of title 1, United States Code.

(b) JOINT COMMITTEE ON ATOMIC ENERGY.—For purposes of titles II, III, and IV of this Act, the Members of the Senate who are members of the Joint Committee on Atomic Energy shall be treated as a standing committee of the Senate, and the Members of the House of Representatives who are members of such Joint Committee shall be treated as a standing committee of the House.

TITLE I—ESTABLISHMENT OF SENATE AND HOUSE BUDGET COMMITTEES

BUDGET COMMITTEE OF THE SENATE

SEC. 101. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new subparagraph:

"(r) (1) The Committee on the Budget, to which committee shall be referred all concurrent resolutions on the budget (as defined in section 3(4) of the Congressional Budget Act of 1974) and all other matters required to be referred to that committee under titles III and IV of that Act, and messages, petitions, memorials, and other matters relating thereto.

"(2) Such committee shall have the duty—
"(A) to report the matters required to be reported by it under title III and IV of the Congressional Budget Act of 1974;

"(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the Senate on a recurring basis;

"(C) to request and evaluate continuing studies of tax expenditures, and to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the Senate on a recurring basis; and

"(D) to review, on a continuing basis, the conduct by the Congressional Office of the Budget of its functions and duties."

(b) The table contained in paragraph 2 of rule XXV of the Standing Rules of the Senate is amended by inserting after—

"Banking, Housing, and Urban Affairs... 15"
the following:

"Budget 15".

(c) Paragraph 6 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following new subparagraph:

"(h) For purposes of the first sentence of subparagraph (a), membership on the Committee on the Budget shall not be taken into account until that date occurring during the first regular session of the Ninety-sixth Congress, upon which the appointment of the majority and minority party members of the standing committees of the Senate is initially completed."

TITLE II—CONGRESSIONAL OFFICE OF THE BUDGET

ESTABLISHMENT OF OFFICE

SEC. 201. (a) IN GENERAL.—

(1) **ESTABLISHMENT.**—There is established an office of the Congress to be known as the Congressional Office of the Budget (hereinafter in this title referred to as the "Office"). The Office shall be headed by a Director, and there shall be a Deputy Director who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as Director.

(2) **APPOINTMENT OF DIRECTOR AND DEPUTY DIRECTOR.**—The Director and Deputy Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate after consultation with the Committees on the Budget of the House and the Senate, respectively, subject to confirmation given by order of each House. The Director and Deputy Director shall each be appointed without regard to political affiliation and solely on the basis of his fitness to perform his duties.

(3) **TERMS OF OFFICE.**—The terms of office of the Director and Deputy Director first appointed shall expire at noon on January 3, 1979, and the terms of Directors and Deputy Directors appointed thereafter shall expire at noon on January 3 of each sixth year thereafter. Any individual appointed to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as Director or Deputy Director at the expiration of a term may continue to serve until his successor is appointed.

(4) **REMOVAL.**—The Director and Deputy Director, or either of them, may be removed by either House by resolution.

(5) **COMPENSATION.**—The Director shall receive the same compensation as the Comptroller General of the United States. The Deputy Director shall receive the same compensation as the Deputy Comptroller General of the United States.

(b) **PERSONNEL.**—The Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may delegate to personnel of the Office authority to perform any of the duties, powers, and functions imposed on the Office or on the Director. For purposes of pay (other than pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they were employees of the Senate.

(c) **EXPERTS AND CONSULTANTS.**—In carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or, in the case of individual experts or consultants by employment, at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the General Schedule of section 5332 of title 5, United States Code.

(d) **RELATIONSHIP TO EXECUTIVE BRANCH.**—

(1) **SECURING OF INFORMATION, ETC.**—The Director is authorized to secure information, data, estimates, and statistics developed by various departments, agencies, and establishments of the executive branch of Government and regulatory agencies and commissions of the Government in the course of their operations and activities. All such departments, agencies, and establishments and regulatory agencies and commissions shall cooperate with the Director by furnishing to him that material which he determines to be necessary in the performance of his duties and functions. This paragraph shall not apply to any information, data, estimates, or statistics, the disclosure of which is specifically prohibited by law.

(2) **UTILIZATION OF SERVICES, ETC.**—In carrying out the duties and functions of the Office, the Director may, as agreed upon with the head of any department, agency, or establishment of the executive branch of Government or regulatory agency or commission of the Government, utilize the services, facilities, and personnel of such department, agency, or establishment or such regulatory agency or commission. The utilization of such services, facilities, and personnel may be with or without reimbursement by the Office as may be agreed to.

(3) **FURNISHING OF SERVICES, ETC.**—The head of each department, agency, and establishment in the executive branch, agency, and establishment in the executive branch, or regulatory agency or commission, is authorized to provide the Office the services, facilities, and personnel referred to in paragraph (2).

(e) **RELATIONSHIP TO OTHER AGENCIES OF CONGRESS.**—

(1) **COORDINATION OF OPERATIONS.**—The Office, the General Accounting Office, the Library of Congress, and the Office of Technology Assessment shall fully coordinate and cooperate in planning and conducting their operations to utilize most effectively the information, services, and capabilities of all congressional agencies in carrying out the various responsibilities assigned to each agency.

(2) **OBTAINING INFORMATION, ETC.**—In carrying out the duties and functions of the Office, the Director is authorized to obtain information, data, estimates, and statistics developed by the General Accounting Office, the Library of Congress, and the Office of Technology As-

essment in the course of their operations and activities. Requests for information, and the compliance with such requests, pursuant to this subsection shall be in accordance with procedures to be developed and agreed upon between the Director and the Comptroller General, the Librarian of Congress, or the Technology Assessment Board, as the case may be.

(3) **UTILIZATION OF SERVICES, ETC.**—In carrying out the duties and functions of the Office, the Director may, as agreed upon with the Comptroller General, the Librarian of Congress, or the Technology Assessment Board, as the case may be, utilize the services, facilities, and personnel of the General Accounting Office, the Library of Congress, and the Office of Technology Assessment. The utilization of such services, facilities, and personnel may be with or without reimbursement by the Office as may be agreed to.

(4) **FURNISHING OF SERVICES, ETC.**—The Comptroller General, the Librarian of Congress, and the Technology Assessment Board are authorized to provide the Office the services, facilities, and personnel referred to in paragraph (3).

(5) **EXISTING AUTHORITIES NOT OTHERWISE AFFECTED.**—Except as otherwise specifically provided, nothing in this title shall be construed as modifying any existing authorities or responsibilities of the General Accounting Office, the Library of Congress, and the Office of Technology Assessment.

(f) **APPROPRIATIONS.**—There are authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated to the Office pursuant to the preceding sentence, the expenses of the Office shall be paid, in accordance with the paragraph relating to the contingent fund of the Senate under the heading "UNDER LEGISLATIVE" in the Act of October 1, 1888, (28 Stat. 546; 2 U.S.C. 68), and upon vouchers approved by the Director, from the contingent fund of the Senate.

DUTIES AND FUNCTIONS

SEC. 202. (a) ASSISTANCE TO BUDGET COMMITTEES.—It shall be the duty and function of the Office to provide to the Committees on the Budget of both Houses information which will assist such committees in the discharge of all matters within their jurisdiction, including information with respect to the budget, appropriation bills, other bills authorizing or providing budget authority or tax expenditures, and with respect to revenues, receipts, estimated future revenues and receipts, and changing revenue conditions. The Office shall also provide to the Committee on the Budget of either House such other related information as such committee may request. At the request of the Committee on the Budget of either House, personnel of the Office shall be assigned, on a temporary basis, to assist such committee.

(b) **ASSISTANCE TO OTHER COMMITTEES AND MEMBERS.**—At the request of any other committee of the Senate or the House of Representatives or any joint committee of the Congress, the Office shall provide to such committee or joint committee any information compiled in carrying out the first sentence of subsection (a) and any additional detailed information related to the foregoing, as requested. At the request of any such committee or joint committee, personnel of the Office may be assigned, on a temporary basis, to assist such committee or joint committee with respect to matters directly related to the information referred to in the preceding sentence. At the request of any Member of the Senate or the House, the Office shall provide to such Member any information compiled in carrying out the first sentence of subsection (a) and any additional detailed information related to the foregoing, to the extent practicable, as requested.

(c) TRANSFER OF FUNCTIONS OF JOINT COMMITTEE ON REDUCTION OF FEDERAL EXPENDITURES.—

(1) The duties, functions, and personnel of the Joint Committee on Reduction of Federal Expenditures are transferred to the Office, and the Joint Committee is abolished.

(2) Section 601 of the Revenue Act of 1941 (55 Stat. 726) is repealed.

(d) REPORT ON REVENUES AND BUDGET OUTLAYS.—On or before April 15 of each year, and based on his estimates of revenues expected to be received during the fiscal year beginning on October 1 of such year, the Director shall report to the Congress with respect to alternative levels of total revenues and total outlays for such fiscal year and the surpluses or deficits related to such alternative levels. Such report shall also set forth the levels of tax expenditures under existing law for such fiscal year (the tax expenditure budget), taking into account projected economic factors, and any changes in such levels based on proposals in the budget submitted by the President for such fiscal year. The Director may at any time thereafter submit subsequent reports to the Congress revising the report required by this subsection.

(e) PROJECTION OF REVENUES AND BUDGET OUTLAYS.—The Director shall develop information with respect to the effect of existing laws on revenues and tax expenditures, and of existing authorizations and budget authority on outlays, during the current fiscal year and the ensuing four fiscal years. Such information shall include a compilation of tax expenditures and outlays, by major functional categories, and, to the extent practicable, an analysis of the interrelationship of existing authorizations, budget authority, and tax expenditures.

(f) USE OF COMPUTERS AND OTHER TECHNIQUES.—The Director may equip the Office with up-to-date computer capability (upon approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives), obtain the services of experts and consultants in computer technology, and develop techniques for the evaluation of budgetary requirements.

PUBLIC ACCESS TO BUDGET DATA

SEC. 203. (a) RIGHT TO COPY.—Except as provided in subsections (c) and (d), the Director shall make all information, data, estimates, and statistics obtained under sections 201(d)(1) and 201(e)(2), available for public copying during normal business hours, subject to reasonable rules and regulations prescribed by the Director. To the extent practicable, he shall, at the request of any person, furnish a copy of any such information, data, estimates, or statistics requested, upon payment by such person of the cost of making and furnishing such copy.

(b) INDEX.—The Director shall develop and maintain filing, coding, and indexing systems that identify the information, data, estimates, and statistics to which subsection (a) applies and shall make such systems available for public use during normal business hours.

(c) EXCEPTIONS.—Subsection (a) shall not apply to information, data, estimates, and statistics—

(1) which are specifically exempted from disclosure by Act of Congress; or

(2) which the Director determines will disclose—

(A) matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if the information has been obtained by the Government on a confidential basis, other than through an application by such per-

son for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(C) personnel or medical data or similar data the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

unless the portions containing such information have been excised.

(d) INFORMATION OBTAINED FOR COMMITTEES AND MEMBERS.—Subsection (a) shall apply to any information, data, estimates, and

statistics obtained at the request of any committee or Member of the Senate or the House of Representatives, or any joint committee of the Congress, unless the committee, Member, or joint committee making the request has instructed the Director not to make such information, data, estimates, or statistics available for public copying.

TITLE III—CONGRESSIONAL BUDGET PROCESS

The timetable with respect to the congressional budget process for any fiscal year is as follows:

On or before:	Action to be completed:
November 10-----	President submits current services budget.
February 15-----	President submits his budget.
April 1-----	Committees and joint committees submit reports to Budget Committees.
April 15-----	Congressional Office of the Budget submits report to Congress.
May 1-----	Budget Committees report first concurrent resolution to their Houses.
May 15-----	Committees report bills and resolutions authorizing new budget authority.
June 1-----	Completion of all action on first concurrent resolution.
(1) Five days before beginning of August adjournment or (2) August 7 when no August adjournment.	Completion of enactment into law of all bills and resolutions providing new budget authority.
(1) Three days before beginning of August adjournment, or (2) August 15 when no August adjournment.	
(1) Three days after end of August adjournment or (2) Four days after Labor Day when no August adjournment.	Budget Committees report second required concurrent resolution.
September 25-----	
October 1-----	Completion of all action on second required concurrent resolution.
	Congress completes action on reconciliation bill implementing second required concurrent resolution.
	Fiscal year begins.

ADOPTION OF FIRST CONCURRENT RESOLUTION

SEC. 301. (a) ACTION TO BE COMPLETED BY JUNE 1.—On or before June 1 of each year, the Congress shall complete action on the first concurrent resolution on the budget for the fiscal year beginning on October 1 of such year. The concurrent resolution shall set forth—

(1) TOTAL BUDGET OUTLAYS AND TOTAL NEW BUDGET AUTHORITY.—Appropriate levels of total budget outlays and total new budget authority;

(2) ALLOCATIONS OF TOTALS.—An estimate of budget outlays and an appropriate level of new budget authority—

(A) for each major functional category, for contingencies, and for undistributed intragovernmental transactions, based on allocations of the appropriate levels of total budget outlays and total new budget authority;

(B) within each major functional category, for all existing programs (including renewals thereof) in the aggregate and for all proposed programs in the aggregate, based on the estimate and appropriate level allocated to that category; and

(C) based on the total estimate and appropriate level allocated for all existing programs (including renewals thereof) within each major functional category, in the aggregate for all permanent authority for such programs and in the aggregate for such programs whose funds are generally provided in appropriation Acts, with the estimate and appropriate level for funds so provided being further subdivided between controllable amounts and all other amounts;

(3) ESTIMATED REVENUES.—Estimated revenue receipts;

(4) RECOMMENDED SURPLUS OR DEFICIT.—The amount, if any, by which revenues

should exceed budget outlays, or by which budget outlays should exceed revenues, considering economic conditions and all other relevant factors;

(5) LEVEL OF, AND RECOMMENDED CHANGE IN, TOTAL REVENUES.—The appropriate level of Federal revenues, and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;

(6) LEVEL OF, AND RECOMMENDED CHANGE IN, PUBLIC DEBT.—The appropriate level of the public debt, and the amount, if any, by which the statutory limit on the public debt should be increased, or decreased by bills and resolutions reported by the appropriate committees; and

(7) OTHER MATTERS.—Such other matters relating to the budget as may be appropriate to carry out the purposes of this Act.

(b) ADDITIONAL MATTER IN CONCURRENT RESOLUTION.—The first concurrent resolution on the budget may also include provisions to one of the following procedures:

(1) that each bill or resolution providing new budget authority for that fiscal year (other than supplemental, deficiency, and continuing appropriation bills and resolutions) shall contain a provision that the new budget authority provided in such bill or resolution shall not become effective until a provision has been enacted into law, after all such bills and resolutions providing new budget authority have been enacted into law, that the new budget authority contained in such bill or resolution shall become effective;

(2) that all bills and resolutions providing new budget authority for such fiscal year shall not be enrolled until the concurrent resolution required to be reported under

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section 301(a) has been agreed to, and, if a reconciliation bill is required to be reported under section 310(c), until after that bill has been enrolled;

(3) that all provisions for new budget authority which would be included in appropriation Acts (other than supplemental and deficiency appropriation Acts) for such fiscal year be included instead in one bill; or

(4) any other procedure which is considered appropriate to carry out the purposes of this Act.

(c) **REPORTS BY JOINT ECONOMIC COMMITTEE.**—On or before April 1 of each year, the Joint Economic Committee shall report to the Committees on the Budget of both Houses its recommendations as to the fiscal policy appropriate to the goals of the Employment Act of 1946, including, where appropriate, recommendations with regard to major functional categories of new budget authority and budget outlays. The joint committee shall also, from time to time, report to the Committees on the Budget of both Houses such other recommendations as it deems advisable.

(d) **VIEWS AND ESTIMATES OF OTHER COMMITTEES.**—On or before April 1 of each year, each standing committee of the Senate shall submit to the Committee on the Budget of the Senate, each standing committee of the House of Representatives shall submit to the Committee on the Budget of the House, and the Joint Committee on Internal Revenue Taxation shall submit to the Committees on the Budget of both Houses—

(1) its views and estimates with respect to all matters set forth in subsection (a) which relate to matters within the respective jurisdiction or functions of such committee or joint committee; and

(2) except in the case of the Joint Committee on Internal Revenue Taxation, the estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within the jurisdiction of such committee which such committee intends to be effective during the fiscal year beginning on October 1 of such year.

Any other committee of the Senate or House may submit to the Committee on the Budget of its House, and any other joint committee of the Congress may submit to the Committees on the Budget of both Houses, its views and estimates with respect to all matters set forth in subsection (a) which relate to matters within its jurisdiction or functions.

(e) **REPORTING.**—On or before May 1 of each year, the Committee on the Budget of each House shall report to its House the first concurrent resolution on the budget referred to in subsection (a) for the fiscal year beginning on October 1 of such year. The report accompanying such concurrent resolution shall include, but not be limited to—

(1) a comparison of revenues, as estimated for the purposes of such concurrent resolution, with those estimated in the budget submitted by the President;

(2) a comparison of the appropriate levels of total budget outlays and total new budget authority, as set forth in such concurrent resolution, with total budget outlays estimated and total new budget authority requested in the budget submitted by the President;

(3) the economic assumptions and program objectives which underlie the appropriate levels, estimates, deficits or surpluses, and levels of revenue and public debt set forth in such concurrent resolution, and the alternative economic assumptions and program objectives which the committee considered in formulating such concurrent resolution;

(4) specific projections, not limited to the following, for the period of five fiscal years beginning with such fiscal year of—

(A) the estimated levels of total budget outlays and total new budget authority for each fiscal year in such period;

(B) the estimated revenues to be received, and the estimated surplus or deficit, if any, for each fiscal year in such period, based upon such estimated revenues and the estimated levels of total budget outlays and total new budget authority set forth pursuant to subparagraph (A); and

(C) the estimated levels of tax expenditures by major functional categories;

(5) an explanation of any significant changes in the proposed levels of Federal assistance to State and local governments; and

(6) allocations of the appropriate levels of the total budget outlays and total new budget authority among each committee of the Senate and House which has jurisdiction over bills and resolutions providing budget authority, with such allocations made with respect to the Committees on Appropriations of the two Houses being further subdivided among the subcommittees of such committees.

Such report shall also contain the recommendations of the Joint Economic Committee as reported pursuant to subsection (c), the separate views and estimates of other committees and joint committees as submitted pursuant to subsection (d), and an explanation of the Committee on the Budget of actions taken with respect to such recommendations, views, and estimates.

(f) **FLOOR ACTION.**—On or before May 20 of each year, each House shall complete action on the first concurrent resolution on the budget referred to in subsection (a) for the fiscal year beginning on October 1 of such year (except for action on any conference report on such concurrent resolution).

(g) **EXTENSION WHERE SPECIFIED DATE FALLS ON SATURDAY, SUNDAY, OR HOLIDAY.**—When any date (other than October 1) specified in subsection (e) or (f) falls on a Saturday, Sunday, or legal holiday in the District of Columbia in any year, there shall be substituted for that date during that year the next succeeding date which is not a Saturday, Sunday, or legal holiday in the District of Columbia.

REPORTS AFTER ADOPTION OF CONCURRENT RESOLUTIONS

SEC. 302. (a) MAKING ALLOCATIONS.—As soon as practicable after the first concurrent resolution on the budget for a fiscal year has been agreed to pursuant to section 301, and as soon as practicable after any concurrent resolution on the budget under section 304 or 310 has been agreed to—

(1) the Committee on the Budget of each House shall make an estimated allocation, based upon such concurrent resolution, of the appropriate levels of total budget outlays and total new budget authority among each committee of its House which has jurisdiction over bills and resolution providing such new budget authority; and

(2) based upon the allocation to it under paragraph (1), the Committee on Appropriations of each House shall—

(A) subdivide such allocation among its subcommittees; and

(B) further subdivide the amount with respect to each such subcommittee between controllable amounts and all other amounts. In the case of a concurrent resolution on the budget referred to in section 304 or 310, the allocation under paragraph (1) and subdivisions under paragraph (2) shall be required only to the extent necessary to take into account revisions made in the most recently agreed to concurrent resolution on the budget.

(b) **SUBMISSION OF REPORT.**—The Committee on Appropriations of each House shall promptly transmit the information determined in accordance with subsection (a) (2)

to the Committee on the Budget of its House. Such information shall be included in a report, without change, by that Committee on the Budget with the allocations made by it under subsection (a) (1).

FIRST CONCURRENT RESOLUTION ON THE BUDGET MUST BE ADOPTED BEFORE BUDGET AUTHORITY AND CHANGES IN REVENUES AND PUBLIC DEBT LIMIT ARE MADE

SEC. 303. (a) IN GENERAL.—It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution (or amendment thereto) which provides—

(1) new budget authority for a fiscal year;

(2) an increase or decrease in revenues to become effective during a fiscal year; or

(3) an increase or decrease in the public debt limit to become effective during a fiscal year;

until the first concurrent resolution on the budget for such year has been agreed to pursuant to section 301 or until June 1 preceding the beginning of such fiscal year, whichever first occurs.

(b) **EXCEPTIONS.**—Subsection (a) does not apply to any bill or resolution—

(1) providing new advance spending authority (as defined in section 401(c));

(2) increasing or decreasing revenues, equivalent amounts of which are paid into trust funds described in section 401(d) (1);

(3) providing new budget authority which first becomes available in a fiscal year following the fiscal year to which the concurrent resolution applies; or

(4) increasing or decreasing revenues which first becomes effective in a fiscal year following the fiscal year to which the concurrent resolution applies.

(c) **WAIVER IN THE SENATE.**—

(1) The committee of the Senate which reports any bill or resolution to which subsection (a) applies may, at or after the time it reports such bill or resolution, report a resolution to the Senate (A) providing for the waiver of subsection (a) with respect to such bill or resolution, and (B) stating the reasons why the waiver is necessary. The resolution shall then be referred to the Committee on the Budget of the Senate. That committee shall report the resolution to the Senate within ten days after the resolution is referred to it (not counting any day on which the Senate is not in session) beginning with the day following the day on which it is so referred, accompanied by that committee's recommendations and reasons for such recommendations with respect to the resolution. If the committee does not report the resolution within such ten-day period, it shall automatically be discharged from further consideration of the resolution and the resolution shall be placed on the calendar.

(2) During the consideration of any such resolution, debate shall be limited to one hour, to be equally divided between, and controlled by, the majority and minority leaders or their designees, and the time on any debatable motion or appeal shall be limited to twenty minutes, to be equally divided between, and controlled by, the mover and the manager of the resolution. In the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control, on the passage of such resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal. No amendment to the resolution is in order.

(3) If, after the Committee on the Budget has reported (or been discharged from further consideration of) the resolution, the Senate agrees to the resolution, then subsection (a) of this section shall not apply

with respect to the bill or resolution to which the resolution so agreed to applies.

PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 304. At any time after the first concurrent resolution on the budget for a fiscal year has been agreed to pursuant to section 301, and before the close of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises the concurrent resolution on the budget for such fiscal year most recently agreed to.

PROVISIONS RELATING TO THE CONSIDERATION OF CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 305. (a) **PROCEDURE IN SENATE AFTER REPORT OF COMMITTEE; DEBATE; AMENDMENTS.**—

(1) Debate in the Senate on any concurrent resolution on the budget, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than fifty hours, except that, with respect to the second required concurrent resolution referred to in section 310(a), all such debate shall be limited to not more than fifteen hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a concurrent resolution on the budget shall be limited to two hours, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, and debate on any amendment to an amendment, debatable motion, or appeal shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of such concurrent resolution shall be received. Such leaders, or either of them, may, from the time under their control on the passage of the concurrent resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed three, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.

(4) Notwithstanding any other rule, an amendment, or series of amendments, to a concurrent resolution on the budget proposed in the Senate shall always be in order if such amendment or series of amendments proposes to change any figure or figures then contained in such concurrent resolution so as to make such concurrent resolution mathematically consistent or so as to maintain such consistency.

(b) **PROCEDURE IF HOUSE PASSES CONCURRENT RESOLUTION FIRST.**—If, prior to the passage of a concurrent resolution on the budget by the Senate, the Senate receives from the House of Representatives a concurrent resolution on the budget of the House, then—

(1) the procedure with respect to the concurrent resolution of the Senate shall be the same as if no concurrent resolution from the House had been received; but

(2) on any vote on final passage of the concurrent resolution of the Senate, the concurrent resolution of the House shall be automatically substituted with all after the resolving clause struck and the language of

the concurrent resolution of the Senate substituted therefor.

(c) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(1) The conference report on any concurrent resolution on the budget shall be in order in the Senate at any time after the third day (excluding Saturdays, Sundays, and legal holidays) following the day on which such a conference report is reported and is available to Members of the Senate. A motion to proceed to the consideration of the conference report may be made even though a previous motion to the same effect has been disagreed to.

(2) During the consideration in the Senate of the conference report on any concurrent resolution on the budget, debate shall be limited to ten hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(3) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to one hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to one-half hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to twenty minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(4) In any case in which there are amendments in disagreement, time on each amendment shall be limited to thirty minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader of his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(d) CONCURRENT RESOLUTION MUST BE CONSISTENT.—It shall not be in order in the Senate to vote on the question of agreeing to—

(1) a concurrent resolution on the budget unless the figures then contained in such resolution are mathematically consistent; or

(2) a conference report on a concurrent resolution on the budget unless the figures contained in such resolution, as recommended in such conference report, are mathematically consistent.

REQUIRED ACTION BY CONFERENCE COMMITTEE

SEC. 306. If a committee of conference on a concurrent resolution on the budget is unable, within seven days (excluding Saturdays, Sundays, and legal holidays) after the conferees of each House have been appointed to such committee, to agree, and submit a conference report, with respect to all amounts in the concurrent resolution which are in disagreement between the two Houses, then the conferees of each House shall submit to their House a conference report recommending—

(1) the amounts upon which the committee of conference is in agreement; and

(2) in the case of amounts upon which the committee of conference is not in agreement, an amount which is the midpoint between the amount contained in the con-

current resolution as agreed to by the Senate and the amount contained in the concurrent resolution as agreed to by the House.

In the case of the first concurrent resolution on the budget referred to in section 301, the preceding sentence shall not require the submission of a conference report before May 26 of any year, and, in the case of the second required concurrent resolution on the budget referred to in section 310(a), the preceding sentence shall not require the submission of a conference report earlier than five days preceding the date on which action on such concurrent resolution is required to be completed.

LEGISLATION DEALING WITH CONGRESSIONAL BUDGET MUST BE HANDLED BY BUDGET COMMITTEES

SEC. 307. No bill or resolution, and no amendment to any bill or resolution, dealing with any matter which is within the jurisdiction of the Committee on the Budget of either House shall be considered in that House unless it is a bill or resolution which has been reported by the Committee on the Budget of that House (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or resolution.

SUMMARIES OF CONGRESSIONAL BUDGET ACTIONS

SEC. 308. (a) **REPORTS ON LEGISLATION PROVIDING NEW BUDGET AUTHORITY.**—Whenever a committee of either House reports a bill or resolution to its House providing new budget authority for a fiscal year, the report accompanying that bill or resolution shall contain a statement prepared after consultation with the Director of the Congressional Office of the Budget detailing—

(1) how the new budget authority in that bill or resolution compares with the new budget authority set forth in the most recently agreed to concurrent resolution on the budget for such fiscal year and the reports submitted under section 302;

(2) a projection for the period of five fiscal years beginning with such fiscal year of the budget outlays which will result from that bill or resolution in each fiscal year in such period; and

(3) the impact on State and local governments of the new budget authority, and budget outlays resulting therefrom, provided by that bill or resolution.

The committee is not required to include in the report a projection in accordance with paragraph (2) for any fiscal year in such five-year period, or to detail such impact in accordance with paragraph (3), if the committee determines that the projection for such year or detailing that impact, as the case may be, is impracticable and states in the report the reasons for such impracticability.

(b) **UP-TO-DATE TABULATION OF CONGRESSIONAL BUDGET ACTIONS.**—The Director of the Congressional Office of the Budget shall issue periodic reports detailing and tabulating the progress of congressional action on bills and resolutions providing new budget authority and changes in revenues and the public debt limit for a fiscal year. Specifically, such report shall include—

(1) an up-to-date tabulation comparing the new budget authority, and estimated outlays resulting therefrom, in bills and resolutions on which Congress has completed action to the new budget authority and estimated outlays set forth in the most recently agreed to concurrent resolution on the budget for such fiscal year and the reports submitted under section 302;

(2) an up-to-date status report on all bills and resolutions providing new budget authority and changes in revenues and the public debt limit for such fiscal year in both Houses;

(3) an up-to-date comparison of the appropriate level of revenues contained in the

most recently agreed to concurrent resolution on the budget for such fiscal year with the latest estimate of revenue receipts for such year (including new revenues anticipated during such year under bills and resolutions on which the Congress has completed action); and

(4) an up-to-date comparison of the appropriate level of the public debt contained in the most recently agreed to concurrent resolution on the budget for such fiscal year with the latest estimate of the public debt during such fiscal year.

(c) **FIVE-YEAR PROJECTION OF CONGRESSIONAL BUDGET ACTION.**—As soon as practicable after the beginning of each fiscal year, the Director of the Congressional Office of the Budget shall issue a report projecting for the period of five fiscal years beginning with such fiscal year—

(1) total new budget authority and total budget outlays for each fiscal year in such period, except that for any fiscal year in such period that the Director determines a projection to be impracticable, no such projection shall be required if the Director states the reasons for such impracticability with respect to that year; and

(2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period.

(d) **UNCONTROLLABLE OUTLAYS AND OUTLAYS NOT WITHIN JURISDICTION OF APPROPRIATIONS COMMITTEES.**—

(1) **APPROPRIATIONS COMMITTEES.**—The Committee on Appropriations of each House shall, with respect to bills and resolutions which provide new budget authority for a fiscal year for uncontrollable outlays, include in the report accompanying such bill or resolution its estimate of the total outlays which will be made during that fiscal year under such new budget authority and budget authority provided for prior fiscal years.

(2) **OUTLAYS NOT WITHIN JURISDICTION OF APPROPRIATIONS COMMITTEES.**—The Committee on the Budget of each House shall, on or before August 1 of each year, report to its House its estimate of the total outlays which will be made during the fiscal year beginning on October 1 of that year under budget authority which is not provided in appropriation Acts.

(e) **REPORTS ON LEGISLATION PROVIDING NEW TAX EXPENDITURES.**—Whenever a committee of either House reports a bill for resolution to its House providing new or increased tax expenditures during a fiscal year, the report accompanying that bill or resolution shall contain a statement prepared after consultation with the Director of the Congressional Office of the Budget detailing—

(1) how the new tax expenditures provided in that bill or resolution will affect the levels of tax expenditures under existing law as set forth in the report accompanying the first concurrent resolution on the budget for such fiscal year, or, if a report accompanying a subsequently agreed to concurrent resolution for such year sets forth such levels, then as set forth in that report, and a justification for any deviation from those levels; and

(2) a projection for a period of five fiscal years beginning with such fiscal year of the tax expenditures which will result from that bill or resolution in each fiscal year in such period, except that for any fiscal year in such period that the committee determines such projection to be impracticable, no such projection shall be required if the committee states the reasons for such impracticability with respect to that year.

ACTION ON BILLS PROVIDING NEW BUDGET AUTHORITY

Sec. 309. In order to promote sound fiscal policies and procedures, the Congress declares that—

(1) not later than five days before the beginning of an adjournment taken in an odd-

numbered year under section 132(a)(2) of the Legislative Reorganization Act of 1946, or in any year in which there is no such adjournment, not later than August 7 preceding the beginning of a fiscal year, all bills and resolutions providing new budget authority for such fiscal year (other than supplemental, deficiency, and continuing appropriation bills and resolutions) and all bills and resolutions providing new tax expenditures during such fiscal year shall be enacted into law; and

(2) if a reconciliation bill is required to be reported under section 310(c) for a fiscal year, the Congress shall complete action on that bill by September 25 preceding such fiscal year.

SECOND REQUIRED CONCURRENT RESOLUTION AND RECONCILIATION BILL

Sec. 310. (a) **REPORTING OF CONCURRENT RESOLUTION.**—Not later than three days before the beginning of an adjournment taken in an odd-numbered year under section 132(a)(2) of the Legislative Reorganization Act of 1946, or in any year in which there is no such adjournment, not later than August 15, the Committee on the Budget of each House shall report to its House a concurrent resolution on the budget which reaffirms or revises the concurrent resolution on the budget most recently agreed to with respect to the fiscal year beginning on October 1 of such year. Any such concurrent resolution on the budget to reaffirm or revise shall also, to the extent necessary—

(1) (A) specify the total amount by which new budget authority for such fiscal year and budget authority for any prior fiscal year contained in laws within the jurisdiction of a committee is to be changed and direct that committee to determine and recommend changes in such laws to accomplish a change of such total amount; or

(B) whenever subparagraph (A) is infeasible, direct that all budget authority available for any such fiscal year be changed on a pro rata basis (other than budget authority for uncontrollable outlays with respect to provisions of laws already in effect);

(2) specify the total amount by which revenues are to be changed and direct the committees having jurisdiction to determine and recommended changes in the revenue laws to accomplish a change of such total amount;

(3) specify the amount by which the statutory limit on the public debt is to be changed and direct the committees having jurisdiction to recommend such change; or

(4) any combination of paragraphs (1), (2), and (3).

(b) **COMPLETION OF ACTION ON CONCURRENT RESOLUTION.**—Not later than three days after the end of an adjournment taken in an odd-numbered year under section 132(a)(2) of the Legislative Reorganization Act of 1946, or, in any year in which there is no such adjournment, not later than four days after Labor Day of that year, the Congress shall complete action on the concurrent resolution on the budget referred to in subsection (a) which reaffirms or revises the concurrent resolution on the budget most recently agreed to.

(c) **RECONCILIATION BILL.**—If a concurrent resolution on the budget is agreed to in accordance with subsection (a) containing a direction that changes in laws be made, and—

(1) only one committee is directed to determine and recommend changes, that committee shall promptly make such determination and recommendations and report a reconciliation bill to its House containing such recommendations; or

(2) more than one committee is directed to determine and recommend changes, each such committee so directed shall promptly make such determination and recommend changes and submit such recommendations

to the Committee on the Budget of its House. The Committee on the Budget, upon receiving all such recommendations, shall report to its House a reconciliation bill containing, without substantive revision, all such recommendations.

(d) **COMPLETION OF ACTION ON RECONCILIATION BILL.**—Congress shall complete action on any reconciliation bill reported under subsection (c) not later than September 25 immediately preceding the beginning of the fiscal year commencing October 1.

(e) **PROCEDURE IN THE SENATE.**—

(1) Except as provided in paragraph (2), the provisions of section 305 for the consideration in the Senate of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration in the Senate of reconciliation bills reported under subsection (c) and conference reports thereon.

(2) Debate in the Senate on any reconciliation bill reported under subsection (c), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than twenty hours. Any reconciliation bill originating in the Senate which passes the Senate containing any matter relating to revenues shall not be engrossed or transmitted to the House of Representatives.

(f) **CONGRESS MAY NOT ADJOURN OR RECESS UNTIL ACTION IS COMPLETED.**—It shall not be in order in either the Senate or the House of Representatives to consider any resolution providing—

(1) for the adjournment sine die of either House; or

(2) for the adjournment or recess, after September 30 of any year, of either House for a period of more than three days;

unless action has been completed on the concurrent resolution on the budget required to be reported under subsection (a) for the fiscal year beginning on October 1 of such year, and, if a reconciliation bill is required to be reported under subsection (c) for such fiscal year, unless the Congress has completed action on that bill.

(g) **SHORTENING OF AUGUST RECESS.**—Section 132(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198(a)(2)) is amended by striking out "thirty days" and inserting in lieu thereof "twenty-three days".

NEW BUDGET AUTHORITY MUST BE WITHIN APPROPRIATE LEVELS

Sec. 311. After all regular annual bills and resolutions providing new budget authority for a fiscal year have been enacted into law, and, if a reconciliation bill for such fiscal year is required to be reported under section 310(c), after that bill has been enacted into law, it shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution providing additional new budget authority for such fiscal year, any amendment to any such bill or resolution, or any conference report on any such bill or resolution, if—

(1) the enactment of such bill or resolution as reported;

(2) the adoption of such amendment and the enactment of such bill or resolution as so amended; or

(3) the enactment of such bill or resolution in the form recommended in such conference report; would cause the appropriate level of total new budget authority or total budget outlays set forth in the most recently agreed to concurrent resolution on the budget for such fiscal year to be exceeded.

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

BILLS PROVIDING NEW ADVANCE SPENDING AUTHORITY

Sec. 401. (a) **PROPOSED LEGISLATION PROVIDING CONTRACT OR BORROWING AUTHORITY.**—It shall not be in order in either the Senate or the House of Representatives to consider any

bill or resolution which provides new advance spending authority described in subsection (c) (2) (A) or (B) (or any amendment which provides such new advance spending authority), unless that bill, resolution, or amendment also provides that such new advance spending authority is to be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

(b) PROPOSED LEGISLATION PROVIDING ENTITLEMENT AUTHORITY.—

(1) EFFECTIVE DATE.—It shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution which provides new advance spending authority described in subsection (c) (2) (C) (or any amendment which provides such new advance spending authority) which is to become effective before the first day of the fiscal year which begins during the calendar year in which such bill or resolution is reported.

(2) REFERRAL TO APPROPRIATIONS COMMITTEES.—Whenever any bill or resolution which provides new advance spending authority described in subsection (c) (2) (C) is reported by any committee of the Senate or the House of Representatives, such bill or resolution shall then be referred to the Committee on Appropriations of that House with instructions to report it, with the committee's recommendations, within ten calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. Whenever any amendment which provides such new advance spending authority (other than an amendment contained in a bill or resolution as reported and other than an amendment which increases or decreases the new advance spending authority provided by a bill or resolution as reported) is agreed to in the Senate or the House of Representatives, the bill or resolution containing such amendment shall (after all amendments have been considered) then be referred to the Committee on Appropriations of that House with instructions to report it, with the committee's recommendations, within ten calendar days (not counting any day on which that House is not in session) beginning with the day on which it is so referred. If the Committee on Appropriations of either House fails to report a bill or resolution referred to it under this paragraph within such ten-day period, the committee shall automatically be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the calendar.

(8) COMMITTEE AMENDMENT.—The Committee on Appropriations of each House shall have jurisdiction to report any bill or resolution referred to it under paragraph (2) with an amendment which limits the total amount of new advance spending authority provided in such bill or resolution.

(c) DEFINITIONS.—

(1) NEW ADVANCE SPENDING AUTHORITY.—For purposes of this section, the term "new advance spending authority" means advance spending authority not provided by law on the date of the enactment of this Act, including any increase in or addition to advance spending authority provided by law on such date.

(2) ADVANCE SPENDING AUTHORITY.—For purposes of paragraph (1), the term "advance spending authority" means authority (whether temporary or permanent)—

(A) to enter into contracts under which the United States is obligated to make outlays, the budget authority for which is not provided in advance by appropriation Acts;

(B) to incur indebtedness (other than indebtedness incurred under the Second Liberty Bond Act) for the repayment of which the United States is liable, the budget authority for which is not provided in advance by appropriation Acts; and

(C) to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing such authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by such law.

Such term does not include authority to insure or guarantee the repayment of indebtedness incurred by another person or government.

(d) EXCEPTIONS.—

(1) TRUST FUNDS.—Subsections (a) and (b) shall not apply to new advance spending authority if the budget authority for outlays which will result from such new advance spending authority is derived—

(A) from a trust fund established by the Social Security Act (as in effect on the date of the enactment of this Act);

(B) from any other trust fund established by law before the date of the enactment of this Act, a substantial portion of the receipts of which consist of amounts (transferred from the general fund of the Treasury) equivalent to amounts of taxes (related to the purposes for which such outlays are made) received in the Treasury under specified provisions of the Internal Revenue Code of 1954; or

(C) from a trust fund established by law after the date of the enactment of this Act, 90 percent or more of the receipts of which consist or will consist of amounts (transferred from the general fund of the Treasury) equivalent to amounts of taxes (related to the purposes for which such outlays are or will be made) received in the Treasury under specified provisions of the Internal Revenue Code of 1954.

(2) GENERAL REVENUE SHARING.—Subsections (a) and (b) shall not apply to new advance spending authority which is an amendment to or extension of the State and Local Fiscal Assistance Act of 1972, or a continuation of the program of fiscal assistance to State and local governments provided by that Act, to the extent so provided in the bill or resolution providing such authority.

(3) OTHER SPENDING AUTHORITY.—Subsections (c) and (b) shall not apply to new advance spending authority to the extent that—

(A) the outlays resulting therefrom are made by an organization which is (i) a mixed-ownership Government Corporation (as defined in section 201 of the Government Corporation Control Act), or (ii) a wholly owned Government corporation (as defined in section 101 of such Act) which is specifically exempted by law from compliance with any or all of the provisions of that Act; or

(B) the outlays resulting therefrom consist exclusively of the proceeds of gifts or bequests made to the United States for a specific purpose.

REPORTING OF AUTHORIZING LEGISLATION

SEC. 402. (a) REQUIRED REPORTING DATE.—Except as otherwise provided in this section, it shall not be in order in either the Senate or the House of Representatives to consider any bill or resolution authorizing the enactment of new budget authority for a fiscal year, unless that bill or resolution is reported in the Senate or the House, as the case may be, on or before May 15 preceding the beginning of such fiscal year.

(b) WAIVER IN THE SENATE.—

(1) The committee of the Senate which reports any such bill or resolution may, at or after the time it reports such bill or resolution, report a resolution to the Senate (A) providing for the waiver of subsection (a) with respect to such bill or resolution, and (B) stating the reasons why the waiver is necessary. The resolution shall then be re-

ferred to the Committee on the Budget of the Senate. That committee shall report the resolution to the Senate, within ten days after the resolution is referred to it (not counting any day on which the Senate is not in session) beginning with the day following the day on which it is so referred, accompanied by that committee's recommendations and reasons for such recommendations with respect to the resolution. If the committee does not report the resolution within such ten-day period, it shall automatically be discharged from further consideration of the resolution and the resolution shall be placed on the calendar.

(2) During the consideration of any such resolution, debate shall be limited to one hour, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees, and the time on any debatable motion or appeal shall be limited to twenty minutes, to be equally divided between, and controlled by, the mover and the manager of the resolution. In the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of such resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal. No amendment to the resolution is in order.

(3) If, after the Committee on the Budget has reported (or been discharged from further consideration of) the resolution, the Senate agrees to the resolution, then subsection (a) of this section shall not apply with respect to that bill or resolution referred to in the resolution.

(c) CERTAIN BILLS FROM OTHER HOUSE.—For purposes of subsection (a), a bill or resolution of the House of Representatives which is placed on the calendar and not referred to a committee of the Senate shall be treated as having been reported on the same day on which a companion or similar bill or resolution was reported in the Senate; and a bill or resolution of the Senate which is placed on a calendar of the House of Representatives and not referred to a committee of the House shall be treated as having been reported on the same day on which a companion or similar bill or resolution was reported in the House.

ANALYSES BY CONGRESSIONAL OFFICE OF THE BUDGET

SEC. 403. The Director of the Congressional Office of the Budget shall, to the extent practicable, prepare for each bill or resolution of a public character reported by any committee of the Senate or the House of Representatives (except the Committee on Appropriations of each House), and submit to such committee—

(1) an estimate of the costs which would be incurred in carrying out such bill or resolution in the fiscal year in which it is to become effective and in each of the four fiscal years following such fiscal year, together with the basis for each such estimate; and

(2) a comparison of the estimate of costs described in paragraph (1) with any available estimate of costs made by such committee or by any Federal agency.

The estimate and comparison so submitted shall be included in the report accompanying such bill or joint resolution if submitted to such committee before such report is filed.

JURISDICTION OF APPROPRIATIONS COMMITTEES

SEC. 404. (a) AMENDMENT OF SENATE RULES.—Subparagraph (c) of paragraph 1 of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(c) Committee on Appropriations, to which committee shall be referred all proposed legislation, messages, petitions, memo-

rials, and other matters relating to the following subjects:

"1. Except as provided in subparagraph (r) appropriation of the revenue for the support of the Government.

"2. Rescission of appropriations contained in Appropriations Act (referred to in section 105 of title 1, United States Code).

"3. The amount of new advance spending authority described in section 401(c)(2)(A) and (B) of the Congressional Budget Act of 1974 which is to be effective for a fiscal year.

"4. New advance spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 provided in bills and resolutions referred to the committee under section 401(b)(2) of that Act (but subject to the provisions of section 401(b)(3) of that Act)."

(b) AMENDMENT OF HOUSE RULES.—Clause 2 of rule XI of the Rules of the House of Representatives is amended by redesignating paragraph (b) as (e) and by inserting after paragraph (a) the following new paragraphs:

"(b) Rescission of appropriations contained in appropriation Acts (referred to in section 105 of title 1, United States Code).

"(c) The amount of new advance spending authority described in section 401(c)(2)(A) and (B) of the Congressional Budget Act of 1974 which is to be effective for a fiscal year.

"(d) New advance spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 provided in bills and resolutions referred to the committee under section 401(b)(2) of that Act (but subject to the provisions of section 401(b)(3) of that Act)."

TITLE V—CHANGE OF FISCAL YEAR

FISCAL YEAR TO BEGIN OCTOBER 1

SEC. 501. Section 237 of the Revised Statutes (31 U.S.C. 1020) is amended to read as follows:

"Sec. 237. (a) The fiscal year of the Treasury of the United States, in all matters of accounts, receipts, expenditures, estimates, and appropriations—

"(1) shall, through June 30, 1975, commence on July 1 of each year and end on June 30 of the following year;

"(2) shall for the period commencing July 1, 1975, and ending on September 30, 1976, be for such period; and

"(3) shall, beginning on October 1, 1976, commence on October 1 of each year and end on September 30 of the following year.

"(b) All accounts of receipts and expenditures required by law to be published annually shall be prepared and published for each fiscal year as established by subsection (a)."

TRANSMITTAL OF BUDGET

SEC. 502. Section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by striking out the first sentence and inserting in lieu thereof the following: "The President shall transmit to the Congress the Budget which shall set forth his budget message, summary data and text, and supporting detail. The Budget for any fiscal year beginning on or before July 1, 1975, shall be transmitted during the first fifteen days of that regular session of the Congress which commences prior to the beginning of the fiscal year, and the Budget for any fiscal year beginning on or after October 1, 1976 shall be transmitted on or before February 15 preceding the beginning of the fiscal year."

TRANSITION TO NEW FISCAL YEAR

SEC. 503. (a) The Director of the Office of Management and Budget shall prepare and submit to the Congress such proposed legislation as he considers appropriate with respect to changes in law necessary to provide adequate authorizations of appropria-

tions for the fiscal year provided under section 237(a)(2) of the Revised Statutes (as amended by section 501 of this Act), commencing July 1, 1975, and ending on September 30, 1976.

(b) The Director shall provide by regulation, order, or otherwise for the orderly transition by all departments, agencies, and instrumentalities of the United States Government and the government of the District of Columbia from the use of the fiscal year in effect on the date of enactment of this Act to the use of the new fiscal year prescribed by section 237(a)(3) of the Revised Statutes. The Director shall prepare and submit to the Congress such additional proposed legislation as he considers necessary to accomplish this objective.

(c) The Director of the Office of Management and Budget and the Director of the Congressional Office of the Budget jointly shall conduct a study of the feasibility and advisability of submitting the Budget, and enacting new budget authority, for a fiscal year during the regular session of the Congress which begins in the year preceding the year in which such fiscal year begins. The Director of the Office of Management and Budget and the Director of the Congressional Office of the Budget each shall submit a report of the results of the study conducted by them, together with his own conclusions and recommendations, to the Congress not later than one year after the effective date of this subsection.

ACCOUNTING PROCEDURES

SEC. 504. (a) Subsection (a)(1) of the first section of the Act entitled "An Act to simplify accounting, facilitate the payment of obligations, and for other purposes", approved July 25, 1956 as amended (31 U.S.C. 701), is amended to read as follows:

"(1) The obligated balance shall be transferred, at the time specified in subsection (b)(1) of this section, to an appropriation account of the agency or subdivision thereof responsible for the liquidation of the obligation, in which account shall be merged the amounts so transferred from all appropriation accounts for the same general purposes; and"

(b) Subsection (b) of such section is amended to read as follows:

"(b)(1) Any obligated balance referred to in subsection (a)(1) of this section shall be transferred as follows:

"(A) for any fiscal year or years ending on or before June 30, 1975, on that June 30 which falls in the first month of June which occurs twenty-four months after the end of such fiscal year or years; and

"(B) for any fiscal year commencing on or after July 1, 1975, on September 30 of the second fiscal year following the fiscal year or years for which the appropriation is available for obligation.

"(2) The withdrawals required by subsection (a)(2) of this section shall be made—

"(A) for any fiscal year ending on or before June 30, 1975, not later than September 30 of the fiscal year immediately following the fiscal year in which the period of availability for obligation expires; and

"(B) for any fiscal year commencing on or after July 1, 1975, not later than November 15 following the fiscal year in which the period of availability for obligation expires."

CONVERSION OF AUTHORIZATIONS OF APPROPRIATIONS

SEC. 505. Any law providing for an authorization of appropriations commencing on July 1 of a year shall, if that year is any year after 1975, be considered as meaning October 1 of that year. Any law providing for an authorization of appropriations ending on June 30 of a year shall, if that year is any year after 1975, be considered as meaning September 30 of that year. Any law providing for an authorization of appropriations

for the fiscal year 1976 or any fiscal year thereafter shall be construed as referring to that fiscal year ending on September 30 of the calendar year having the same calendar year number as the fiscal year number.

ECONOMIC REPORTS

SEC. 506. (a) Section 3 of the Employment Act of 1946 (15 U.S.C. 1022) is amended by striking out "The President shall transmit to the Congress not later than January 20 of each year" and inserting in lieu thereof the following: "Not later than January 20 of each year before 1976, and not later than February 10 of each year after 1975, the President shall transmit to the Congress".

(b) Section 5(b)(2) of such Act (15 U.S.C. 1024) is amended by striking out "(beginning with the year 1947)" and inserting in lieu thereof "before 1976 and not later than March 20 of each year after 1975."

REPEALS

SEC. 507. The following provisions of law are repealed:

(1) The ninth paragraph under the headings "Legislative Establishment", "Senate", of the Deficiency Appropriation Act, fiscal year 1934 (48 Stat. 1022; 2 U.S.C. 66); and

(2) The proviso to the second paragraph under the headings "House of Representatives", "Salaries, Mileage, and Expenses of Members", of the Legislative-Judiciary Appropriation Act, 1955 (68 Stat. 400; 2 U.S.C. 81).

TECHNICAL AMENDMENT

SEC. 508. (a) Section 10b of title 1, United States Code, is amended by striking out "June 30" and inserting in lieu thereof "September 30".

(b) The provisions of subsection (a) of this section shall be effective with respect to Acts making appropriations for the support of the Government for any fiscal year commencing on or after July 1, 1975.

TITLE VI—AMENDMENTS TO BUDGET AND ACCOUNTING ACT, 1921

MATTERS TO BE INCLUDED IN PRESIDENT'S BUDGET

SEC. 601. Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by adding at the end thereof the following new subsections:

"(d) The Budget transmitted pursuant to subsection (a) for each fiscal year shall set forth separately the items enumerated in section 301(a)(1)–(6) of the Congressional Budget Act of 1974.

"(e) The Budget transmitted pursuant to subsection (a) for each fiscal year shall set forth the levels of tax expenditures under existing law for such fiscal year (the tax expenditure budget), taking into account projected economic factors, and any changes in such existing levels based on proposals contained in such Budget. For purposes of this subsection, the terms 'tax expenditures' and 'tax expenditures budget' have the meanings given to them by section 3(3) of the Congressional Budget Act of 1974.

"(f) The Budget transmitted pursuant to subsection (a) for each fiscal year shall include (1) an examination of proposed expenditures (including tax expenditures) and appropriations and estimated receipts within a comprehensive framework of existing and proposed programs and (2) the bases used for the proposed expenditures (including tax expenditures) and appropriations and estimated receipts.

"(g) The Budget transmitted pursuant to subsection (a) for each fiscal year shall contain—

"(1) a comparison, for the last completed fiscal year, of the total amount of outlays estimated in the Budget transmitted pursuant to subsection (a) for each major program involving uncontrollable or relatively uncontrollable outlays and the total amount

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of outlays made under each such major program during such fiscal year;

"(2) a comparison, for the last completed fiscal year, of the total amount of revenues estimated in the Budget transmitted pursuant to subsection (a) and the total amount of revenues received during such year, and, with respect to each major revenue source, the amount of revenues estimated in the Budget transmitted pursuant to subsection (a) and the amount of revenues received during such year; and

"(3) an analysis and explanation of the difference between each amount set forth pursuant to paragraphs (1) and (2) as the amount of outlays or revenues estimated in the Budget submitted under subsection (a) for such fiscal year and the corresponding amount set forth as the amount of outlays made or revenues received during such fiscal year.

"(h) The President shall transmit to the Congress, on or before April 15 and July 15 of each year, a statement of all amendments to or revisions in the budget authority requested, the estimated outlays, and the estimated receipts for the ensuing fiscal year set forth in the Budget transmitted pursuant to subsection (a) (including any previous amendments or revisions proposed on behalf of the executive branch) that he deems necessary and appropriate based on the most current information available. Such statement shall contain the effect of such amendments and revisions on the summary data submitted under subsection (a) and shall include such supporting detail as is practicable. The Budget transmitted to the Congress pursuant to subsection (a) for any fiscal year, or the supporting detail transmitted in connection therewith, shall include a statement of all such amendments and revisions with respect to the fiscal year in progress made before the date of transmission of such Budget."

MIDYEAR REVIEW

SEC. 602. Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by inserting after "1972," in subsections (b) and (c) "and on or before July 15 of each year, beginning with 1976."

FIVE-YEAR BUDGET PROJECTIONS

SEC. 603. Section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended—

(1) by inserting after "ensuing fiscal year" in paragraph (5) "and projections for the four fiscal years immediately following the ensuing fiscal year";

(2) by striking out "such year" in paragraph (5) and inserting in lieu thereof "such years"; and

(3) by inserting after "ensuing fiscal year" in paragraph (6) "and projections for the four fiscal years immediately following the ensuing fiscal year."

ALLOWANCES FOR SUPPLEMENTAL BUDGET AUTHORITY AND UNCONTROLLABLE OUTLAYS

SEC. 604. Section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is further amended—

(1) by striking out the period at the end of paragraph (12) and inserting in lieu thereof a semicolon; and

(2) by adding at the end thereof the following new paragraph:

"(13) an allowance for additional estimated expenditures and proposed appropriations for the ensuing fiscal year, and an allowance for unanticipated uncontrollable expenditures, for which no request for appropriations is required, for the ensuing fiscal year."

BUDGET DATA BASED ON CONTINUATION OF EXISTING LEVEL OF SERVICES

SEC. 605. (a) On or before November 10 of each year (beginning with 1975), the President shall submit to the Senate and the House of Representatives the estimated out-

lays and proposed budget authority which would be included in the Budget to be submitted pursuant to section 201 of the Budget and Accounting Act, 1921, for the ensuing fiscal year if all programs and activities were carried on during such ensuing fiscal year at the same level as the fiscal year in progress and without policy changes in such programs and activities. The estimated outlays and proposed budget authority submitted pursuant to this section shall be shown by function and subfunctions (in accordance with the classifications in the budget summary table entitled "Budget Authority and Outlays by Function and Agency"), by major programs within each such function, and by agency. Accompanying these estimates shall be the economic and programmatic assumptions underlying the estimated outlays and proposed budget authority, such as, the rate of inflation, the rate of real economic growth, the unemployment rate, program caseloads, and pay increases.

(b) The Joint Economic Committee shall review the estimated outlays and proposed budget authority so submitted, and shall submit to the Committees on the Budget of both Houses an economic evaluation thereof on or before December 31 of each year. The evaluation shall include a determination of whether the estimates are accurate, complete, and based on valid economic assumptions.

REMOVAL OF EXEMPTIONS FROM BUDGET PROCESS

SEC. 606. Those provisions of law, regulations, or rulings which exempt the following agencies and funds from inclusion in the Budget of the United States Government, or which exempt certain of their activities from inclusion in the budget, shall cease to apply effective with the fiscal year beginning on July 1, 1975:

- (1) Environmental Financing Authority;
- (2) Export-Import Bank;
- (3) Federal Financing Bank;
- (4) Rural Electrification and Telephone Revolving Fund;
- (5) Rural Telephone Bank; and
- (6) United States Railway Association.

TITLE VII—PROGRAM REVIEW AND EVALUATION

REVIEW AND EVALUATION BY STANDING COMMITTEES

SEC. 701. Section 136(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d) is amended by adding at the end thereof the following new sentences: "Such committees may carry out the required analysis, appraisal, and evaluation themselves, or by contract, or may require a Government agency to do so and furnish a report thereon to the Congress. Such committees may rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time."

REVIEW AND EVALUATION BY THE COMPTROLLER GENERAL

SEC. 702. (a) Section 204 of the Legislative Reorganization Act of 1970 (31 U.S.C. 1154) is amended to read as follows:

"REVIEW AND EVALUATION

"SEC. 204. (a) The Comptroller General shall review and evaluate the results of Government programs and activities carried on under existing law when ordered by either House of Congress, or upon his own initiative, or when requested by any committee of the House of Representatives or the Senate, or any joint committee of the two Houses, having jurisdiction over such programs and activities.

"(b) The Comptroller General, upon request of any committee or Member of either House or any joint committee of the two Houses, shall—

"(1) assist such committee, Member, or joint committee in developing a statement of legislative objectives and goals and methods

for assessing and reporting actual program performance in relation to such legislative objectives and goals. Such statements shall include but are not limited to, recommendations as to methods of assessment, information to be reported, responsibility for reporting, frequency of reports, and feasibility of pilot testing; and

"(2) assist such committee, Member, or joint committee in analyzing and assessing program reviews or evaluation studies prepared by and for any Federal agency.

"(c) The Comptroller General shall develop and recommend to the Congress standards for review and evaluation of Government programs and activities carried on under existing law. Such recommendations shall be reported semiannually to both Houses of Congress on or about March 1 and September 1.

"(d) In carrying out his responsibilities under this section, the Comptroller General is authorized to establish an Office of Program Review and Evaluation within the General Accounting Office. The Comptroller General is authorized to employ not to exceed ten experts on a permanent, temporary, or intermittent basis and to obtain services as authorized by section 3109 of title 5, United States Code, but in either case at a rate (or the daily equivalent) for individuals not to exceed that prescribed, from time to time, for level V of the Executive Schedule under section 5316 of title 5, United States Code."

(b) Item 204 in the table of contents of such Act is amended to read as follows:

"Sec. 204. Review and evaluation."

TITLE VIII—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

AMENDMENT TO LEGISLATIVE REORGANIZATION ACT OF 1970

SEC. 801. (a) So much of title II of the Legislative Reorganization Act of 1970 (31 U.S.C. chapter 22) as precedes section 204 thereof is amended to read as follows:

"TITLE II—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

"PART I—FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"FEDERAL FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION SYSTEMS

"SEC. 201. The Secretary of the Treasury and the Director of the Office of Management and Budget, in cooperation with the Comptroller General of the United States, shall develop, establish, and maintain, for use by all Federal agencies, standardized data and information systems for fiscal, budgetary, and program-related data and information. The development, establishment, and maintenance of such systems shall be carried out so as to meet the needs of the various branches of the Federal Government and, insofar as practicable, of governments at the State and local level.

"STANDARDIZATION OF TERMINOLOGY, DEFINITIONS, CLASSIFICATIONS, AND CODES FOR FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"SEC. 202. (a) The Comptroller General of the United States, in cooperation with the Secretary of the Treasury, the Director of the Office of Management and Budget, and the Director of the Congressional Office of the Budget, shall develop, establish, maintain, and publish standard terminology, definitions, classifications, and codes for Federal fiscal, budgetary, and program-related data and information. The authority contained in this section shall include, but not be limited to, data and information pertaining to Federal fiscal policy, revenues, receipts, expenditures, functions, programs, projects, and activities and shall be carried out to as to meet the needs of the various branches of the Federal Government and, insofar as practicable, of governments at the State and local

level. Such standard terms, definitions, classifications, and codes shall be used by all executive agencies in supplying to the Congress fiscal, budgetary, and program-related data and information.

"(b) In carrying out this responsibility, the Comptroller General of the United States shall give particular consideration to the needs of the Committees on the Budget of the House of Representatives and the Senate and the Congressional Office of the Budget.

"(c) The Comptroller General of the United States shall submit to both Houses of the Congress, on or before June 30, 1975, a report containing his recommendations for the initial standard terms, definitions, and classifications, and codes referred to in subsection (a), and shall recommend legislation to implement them as may be necessary.

"(d) The Comptroller General shall monitor the various recurring reporting requirements of the Congress and committees and make recommendations to the Congress and committees for changes and improvements in these reporting requirements to meet the congressional information needs ascertained by the Comptroller General, to enhance their usefulness to the congressional users, and to eliminate duplicative or unneeded reporting.

"AVAILABILITY TO AND USE BY THE CONGRESS AND STATE AND LOCAL GOVERNMENTS OF FEDERAL FISCAL BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"Sec. 203. (a) Upon request of any committee of either House, of any joint committee of the two Houses, of the Comptroller General, or of the Director of the Congressional Office of the Budget, the Secretary of the Treasury, the Director of the Office of Management and Budget, and the heads of the various executive agencies shall—

"(1) furnish to such committee or joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget, information as to the location and nature of available fiscal, budgetary, and program-related data and information;

"(2) prepare summary tables of such data and information and any related information deemed necessary by such committee or joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget; and

"(3) furnish any program evaluations conducted or commissioned by any executive agency as deemed necessary by such committee or joint committee, the Comptroller General, or the Director of the Congressional Office of the Budget.

"(b) The Comptroller General, in cooperation with the Director of the Congressional Office of the Budget, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall—

"(1) develop, establish, and maintain an up-to-date inventory and directory of sources and information systems containing fiscal, budgetary, and program-related data and information and a brief description of their content;

"(2) provide, upon request, assistance to committees, joint committees, and Members of Congress in securing Federal fiscal, budgetary, and program-related data and information from the sources identified in such inventory and directory; and

"(3) furnish, upon request, assistance to committees, joint committees, and Members of Congress in appraising and analyzing fiscal, budgetary, and program-related data and information secured from the sources identified in such inventory and directory.

"(c) The Comptroller General and the Director of the Congressional Office of the Budget shall, to the extent they deem necessary, develop, establish, and maintain a central file or files of the data and information required to carry out the purposes of this title. Such a file or files shall be established

to meet recurring requirements of the Congress for fiscal, budgetary, and program-related data and information and shall include, but not be limited to, data and information pertaining to budget requests, congressional authority to obligate and spend, apportionment and reserve actions, and obligations and expenditures. Such file or files and their indexes shall be maintained in such a manner as to facilitate their use by the committees of both Houses, joint committees, and other congressional agencies through modern data processing and communications techniques.

"(d) The Comptroller General, in cooperation with the Director of the Congressional Office of the Budget, the Director of the Office of Management and Budget, the Administrator of General Services, and appropriate representatives of State and local governments, shall develop procedures to assure access by State and local governments to such fiscal, budgetary, and program-related data and information as may be necessary for the accurate and timely determination by these governments of the impact of Federal assistance upon their budgets."

(b) The table of contents of title II of the Legislative Reorganization Act of 1970 is amended by striking out—

"TITLE II—FISCAL CONTROLS

"PART I—BUDGETARY AND FISCAL INFORMATION AND DATA

"Sec. 201. Budgetary and fiscal data processing system.

"Sec. 202. Budget standard classifications.

"Sec. 203. Availability to Congress of budgetary, fiscal, and related data.

and inserting in lieu thereof—

"TITLE II—FISCAL AND BUDGETARY INFORMATION AND CONTROLS

"PART I—FISCAL, BUDGETARY, AND PROGRAM-RELATED DATA AND INFORMATION

"Sec. 201. Federal fiscal, budgetary, and program-related data and information systems.

"Sec. 202. Standardization of terminology, definitions, classifications, and codes for fiscal, budgetary, and program-related data and information.

"Sec. 203. Availability to and use by the Congress and State and local governments of Federal fiscal, budgetary, and program-related data and information."

TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

CONFORMING AMENDMENTS TO STANDING RULES OF THE SENATE

Sec. 901. Paragraph 1 of rule XXV of the Standing Rules of the Senate is amended—

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

(2) by striking out "The" in subparagraph (h) 2 and inserting in lieu thereof "Except as provided in subparagraph (r), the"; and

(3) by striking out "Budget" in subparagraph (j) (1) (A) and inserting in lieu thereof "Except as provided in subparagraph (r), budget".

AMENDMENTS TO LEGISLATIVE REORGANIZATION ACT OF 1946

Sec. 902. (a) Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)) is amended by inserting "or the Committee on the Budget" after "Appropriations".

(b) Section 136(c) of such Act (2 U.S.C. 190d(c)) is amended by striking out "Committee on Appropriations of the Senate and the Committees on Appropriations, the Budget,".

EXERCISE OF RULEMAKING POWERS

Sec. 903. (a) The provisions of this title (except section 904) and of titles I, III, and IV and the provisions of section 701 are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

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

(b) Any provision of title III or IV may be waived or suspended in the Senate by a majority vote of the Members voting, a quorum being present, or by the unanimous consent of the Senate.

(c) Appeals in the Senate from the decisions of the Chair relating to any provision of title III or IV shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, concurrent resolution, or reconciliation bill, as the case may be.

EFFECTIVE DATES

Sec. 904. (a) Except as provided in this section, the provisions of this Act shall take effect on the date of its enactment.

(b) Title II (except section 201(a)), section 403, and section 503(c) shall take effect on the day on which the first Director of the Congressional Office of the Budget is appointed under section 201(a).

(c) Except as provided in section 905, title III and section 402 shall apply with respect to the fiscal year beginning on October 1, 1976, and succeeding fiscal years, and section 401 shall take effect on the first day of the second regular session of the Ninety-fourth Congress.

(d) The amendments to the Budget and Accounting Act, 1921, made by sections 601, 603, and 604 shall apply with respect to the fiscal year beginning on July 1, 1975, and succeeding fiscal years, except that section 201(h) of such Act (as added by section 601) shall apply with respect to the fiscal year beginning on October 1, 1976, and succeeding fiscal years.

APPLICATION OF CONGRESSIONAL BUDGET PROCESS TO FISCAL YEAR 1976

Sec. 905. (a) If the Committees on the Budget of the Senate and the House of Representatives agree that it is feasible to report and act on a concurrent resolution on the budget referred to in section 301 for the fiscal year beginning on July 1, 1976, and submit reports of such agreement to their respective Houses on or before February 15, 1975—

(1) to the extent specified in such reports, title III (except sections 310 and 311) and section 402 shall apply with respect to such fiscal year;

(2) to the extent specified in such reports, section 401 shall take effect in each House on the day on which the Committee on the Budget of that House submits such report to its House; and

(3) there shall be substituted, for the dates specified in titles III and IV on which any action is to be taken or completed in connection with such concurrent resolution on the budget, those dates set forth in such reports.

(b) If the Committees on the Budget of the Senate and the House of Representatives agree that it is feasible to report and act on a concurrent resolution on the budget referred to in section 310 for the fiscal year beginning on July 1, 1975, and submit reports

of such agreement to their respective Houses on or before May 1, 1975—

(1) to the extent specified in such reports, sections 310 and 311 shall apply with respect to such fiscal year; and

(2) there shall be substituted, for the dates specified in section 310 on which any action is to be taken or completed in connection with such concurrent resolution on the budget, those dates set forth in such reports.

(c) Either House may, by resolution or order, disapprove the report described in subsection (a) or (b) submitted by the Committee on the Budget of that House. In the case of such disapproval, the provisions of titles III and IV, referred to in subsection (a) or (b), respectively, shall not apply in that House for the fiscal year beginning July 1, 1975.

TITLE X—APPROPRIATION RESERVES AMENDMENT TO ANTI-DEFICIENCY ACT

SEC. 1001. Section 3679(c)(2) of the Revised Statutes, as amended (31 U.S.C. 665), is amended to read as follows:

"(2) In apportioning any appropriation, reserves may be established solely to provide for contingencies, or to effect savings whenever savings are made possible by or through changes in requirements or greater efficiency of operations. Reserves shall not be established for fiscal policy purposes or to achieve less than the full objectives and scope of programs enacted and funded by Congress. Whenever it is determined by an officer designated in subsection (d) of this section that such reserves should be established, the officer shall notify the Comptroller General of the United States at least ten days in advance of such establishment together with his reasons therefor. The Comptroller General is authorized as a representative of Congress through attorneys of his own choosing to bring a civil action in the United States District Court for the District of Columbia to enforce the provisions of this paragraph. The courts shall give precedence to civil actions brought under this paragraph, and to appeals and writs from decisions in such actions, over all other civil actions, appeals, and writs. Whenever it is determined by an officer designated in subsection (d) of this section to make apportionments and reapportionments that any amount so reserved will not be required to carry out the full objectives and scope of the appropriation concerned, he shall recommend the rescission of such amount in the manner provided in the Budget and Accounting Act, 1921, for estimates of appropriations. Except as specifically provided by particular appropriations Acts or other laws, no reserves shall be established other than as authorized by this paragraph."

DISCLAIMER

SEC. 1002. Nothing contained in this Act shall be interpreted by any person or court as constituting a ratification or approval of any reservation of budget authority by the President or any other Federal officer or employee, in the past or in the future, unless done pursuant to statutory authority in effect at the time of such reservation.

CAPITAL PUNISHMENT

Mr. PERCY. Mr. President, I am very grateful that the distinguished Senator from Iowa (Mr. HUGHES) is in the Chamber this evening.

Very seldom are votes really influenced by the debate we hear on the floor. Many times on major issues, we have reached a conclusion based on a lifetime experience, and we vote those convictions and those conclusions. In this particular case, on the bill we considered today, the imposition of a death penalty in Federal

courts, I have been deeply troubled by the entire issue.

Together with my colleagues, I deplore the heinous crimes that have been committed in this country—murder, kidnapping, hijacking, and so forth. I earnestly have sought, along with my colleagues, to find ways in which we could arrest the crime wave we have experienced in this country over a period of years and the types of crimes that have been committed with such visibility in recent days, weeks, and months.

After listening to the debate on the floor, and feeling that the Committee on the Judiciary has given this matter a great deal of thought and consideration, I would have expected to find more solid evidence that the death penalty would in fact be a deterrent to the crime and would provide a solution to the problems that we as a society have faced.

I think it is unconscionable for a human life to be taken by an individual or by society. Before I could condone the Government of the United States, and before I could cast a vote for our Government, to establish the procedure for the mandating of the death penalty, I would have to be absolutely convinced that it would be a deterrent and would prevent another crime that might have been committed against mankind—in fact, against the whole idea of God and creation. I did not see that evidence.

Mr. President, I have given a great deal of thought to the legislation now before the Senate which would reinstate the death penalty. The debate has been of a high quality and it has helped me to reach a conclusion.

For many reasons the taking of human life is unconscionable. It is a basic affront to the dignity of each human. The murder of a human being is an irrevocable act, whether committed by a vicious criminal, or whether committed by the Government of the United States, or any of the 50 States.

Before I could cast my vote to institute legalized murder on behalf of the Government, I would have to be convinced that such a vote is absolutely essential and fully justified. The burden of proof must be on those who argue for the death penalty. Before any of us can vote for death, I believe we must be convinced, "beyond a reasonable doubt," if you will, that the death penalty is necessary and justified.

To my mind, this proof has not been forthcoming.

Every study that I have seen on this question has concluded that the death penalty is not a deterrent to crime. Perhaps if I could be convinced that the death penalty was in fact a deterrent, then I might be more inclined to vote for this bill. But I have not been so convinced.

I share the concern which others have stated over the finality of the act. If we later discover that we have executed the wrong person, there is no recourse. As Lafayette said, and as was so eloquently quoted by the distinguished Senator from Iowa (Mr. HUGHES) yesterday:

I shall ask for the abolition of the penalty of death until I have the infallibility of human judgment demonstrated to me.

This problem is, in and of itself so serious that I feel it must be resolved. Yet, there is no way to resolve it, precisely because we all are indeed fallible—we do make mistakes. Fortunately, in most instances we can overcome our mistakes when we find we are in error. But in the case of death, a mistake would indeed be fatal. Thus a vote for the death penalty only invites our society, at some time, in the future, to make such a terrible mistake. I am not prepared to vote for our Federal Government to take that risk when I cannot see any clear-cut advantage to society and our citizens if we do.

If my vote for the death penalty would mean that any victim could be brought back to life by the execution of the assailant, then I would vote for this bill. But, as the distinguished Senator from Michigan (Mr. HART) has so forcefully pointed out, the Government's murder of the criminal does not bring back the victim, and no vote today by any Senator will bring back the life of any victim of a murder. What it does do, though, is contemplate more deaths, sanctioned, authorized, and mandated by the Government.

I admit that I have been mentally torn by this issue, and I have reached my conclusion only with great difficulty. I have been moved by the eloquent statements of my two distinguished colleagues, Senator HUGHES and Senator HART. To my satisfaction, they have rebutted the arguments of the proponents of this legislation, and thus the respect for life still stands as the ultimate criterion upon which I base my judgment.

For those who argue that without the threat of the death penalty there is no effective deterrent to serious and violent crime, I say this does not seem to be the view of leading professional penologists. In my judgment, and that of many others, the way to deter crime is through the certainty of swift justice. Through the centuries that we have imposed the death penalty, criminals have not been deterred by the threat of death.

But clean up the criminal justice system, provide for speedy trials, swift but sure justice, and that will be the deterrent which we all so earnestly want. Senator ERVIN has introduced legislation to accomplish this that I have cosponsored.

Mr. President, every citizen has felt the sting of crime. Many have felt the pain of having a loved one taken from them by a senseless murder. But I say to them, with deep feeling, the death penalty is not the way to react to this barbarism. Violence only breeds more violence. If we indeed believe that we are a civilized society, we must try to overcome our visceral, emotional responses, and instead heed the counsel of wisdom, the counsel of humanity, and the counsel of experience, and refuse to authorize the Government's cold blooded and premeditated murder of any person.

Mr. President, in conclusion, if some time in the future I could be convinced that the death penalty could be a real deterrent, I might change my mind. But with the evidence before us today, I am not so convinced.

I am also concerned that the specter of a mandatory death penalty might in-

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fluence some jurors and cause them to acquit a guilty person. Certainly, we do not want to take any action which would have such an adverse result.

In addition, the presence of the death penalty will only prolong the process of the trial, delaying a final determination, and this is contrary to having speedy justice.

Finally, the penalty of life imprisonment is still present, and by voting against the death penalty, no one in this body is voting for permissiveness nor is anyone being soft on crime. The penalties are and will remain severe. But the penalty of death is neither necessary nor justified. Those who have argued for it have, in my judgment, failed to overcome the presumption of every citizen's right to live.

Before reaching a final conclusion I put to myself the ultimate test. What if I were called upon to decide what sentence should be imposed upon the vicious murderer of my own daughter?

I would not impose the death penalty. I would want that person removed from society, so that he could not commit another crime. During a life of imprisonment, I would want that person hopefully some day to realize the gravity of the crime against God and one of his children that he had committed. I would hopefully want this person to be convinced that he had committed a sin against God as well as against society and ask for God's forgiveness for that act. Death for such a person would in a way be too easy. I would not want to be guilty of committing another crime in the name of society.

Consequently, I cast my vote against this legislation.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. PERCY. I am happy to yield.

Mr. HUGHES. Mr. President, I wish to commend the distinguished Senator from Illinois and also thank him for restoring in my own heart a great deal of satisfaction to stand here and witness a father who has lost a beloved daughter by a savage and vicious murder, to this date unsolved in the annals of criminal history, and say that if he were given the right to make the decision as to whether the murderer might live or die, that he would choose that the murder might continue to live and eventually find redemption and forgiveness through repentance. It is a statement which I think few men would make, even if they had the opportunity under similar circumstances.

This body today, I think, has witnessed something unique, in both the Senator from Illinois, who has lost his daughter, and whose family has suffered one of the most grievous crimes in our history, and the Senator from Massachusetts (Mr. KENNEDY), whose own family has suffered so grievously from murder, explaining the bill to this body, that they see light in the society and hope in humanity by not reinstating a savage means of so-called justice again in our society.

I have known the Senator from Illinois

so well and his own deep faith that has borne him through in these many troubling hours.

In biblical history we know that Moses, after 40 years, was led to the Promised Land, to lead his people to freedom from Egypt. We read of King David, who sent his own son into battle, and then took his wife in adultery, but who was forgiven by God.

We can look at the Master himself, and those who were followers of Christ, when a capital crime was committed by a woman and she was condemned for committing adultery. He said to her, "Where are those who have condemned you?"

She said, "Master, they are not here," and he said, "Neither do I condemn you."

A father who has lost his daughter knows the pangs and the pains of the event. Having three daughters of my own, and thinking how I would feel, placed in a similar situation, makes me at this moment say to my distinguished colleague from Illinois that I will always be indebted to him for having witnessed to the magnificent feeling of heart and soul that he has expressed when he was faced with this most difficult pain that has touched his family.

I commend him for the forgiveness that is in his own soul, and I express the hope of all mankind that we might share in comparable compassion if we were faced with a comparable problem which faced the distinguished Senator from Illinois.

Mr. CRANSTON. Mr. President, I, too, want to express my gratitude to the Senator from Illinois for his statement. It was a powerful one, one that I trust will be heeded by many Americans as they reflect upon where we stand and what we are doing when we consider the problem.

I wish to commend the courage of the Senator from Iowa for expressing himself as he has, and also the Senator from Massachusetts for the position he took, in light of the history of his own family.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 75) providing for an adjournment of the Senate from March 13, 1974, until March 19, 1974.

U.S. MILITARY PERSONNEL ALLEGEDLY SERVING AS MILITARY ADVISERS IN CAMBODIA

Mr. CRANSTON. Mr. President, this morning, during the morning hour, I called attention to reports of U.S. military personnel allegedly serving as military advisers in Cambodia, which would be in violation of the law. I indicated that I intended to send a letter to Chairman JOHN STENNIS of the Armed Services Committee, requesting an immediate investigation of this situation. I also indicated that I would seek to have other Senators join me in that letter and would

include their names in the Record at the end of the day.

I would like at this point to reread that letter into the Record and indicate the number of Senators who have joined. All together, there are 39. Counting myself, there are 40 who have joined in this letter.

I would like to state that had I had time, I am sure a very substantial majority of the Senate would have joined in this letter. The only reason they have not is that I was unable, during a very busy day, to talk to that many Senators. While pursuing this effort, I was attending one committee, attending another committee markup, attending the swearing in of a new California Representative, attending here during the consideration of S. 1401 and amendments thereto, and participating in the consideration of that material, and also working with Senators to clear passage of S. 3063, along with many other matters.

I list those activities, which are similar to those of other Senators, simply to indicate that had I had time to focus on this particular matter, which I think is of great importance, we would have a larger number of Senators joining in sending this letter to Senator STENNIS.

The letter to Chairman JOHN STENNIS reads as follows:

We respectfully request that the Armed Services Committee conduct an immediate investigation into the activities of United States military personnel, including Major Lawrence W. Ordecker of the Third Infantry Brigade, who allegedly are serving as military advisors in Cambodia which would be in violation of the law.

The Senators who have joined me in sending the letter are as follows: Senators: ABOUREZK, BAYH, BIDEN, BURDICK, CASE, CHILES, CHURCH, CLARK, DOMENICI, GRAVEL, HART, HARTKE, HASKELL, HATHAWAY, HUDDLESTON, HUGHES, HUMPHREY, INOUE, KENNEDY, MAGNUSON, MATHIAS, MCGOVERN, MITCALF, METZENBAUM, MONDALE, MONTOYA, MOSS, MUSKIE, PELL, PROXMIRE, RANDOLPH, RIBICOFF, SCHWEIKER, STAFFORD, STEVENSON, TUNNEY, WEICKER, and WILLIAMS.

PRIVILEGE OF THE FLOOR DURING CONSIDERATION OF BUDGET REFORM BILL

Mr. CRANSTON. Mr. President, on a different matter, I ask unanimous consent that the following persons may be granted the privilege of the floor during the consideration of the budget reform bill: Jon Fleming, Jon Steinberg, and Win Parin.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR NO ROLL CALL VOTES ON TUESDAY, MARCH 19, PRIOR TO 2:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be no yea-and-may votes on Tuesday, March 19, prior to 2:30 p.m.

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respect, I want to wish him a happy birthday; and on that gentle note, I hope that he will forgive me for disagreeing with him in some degree.

Mr. MANSFIELD. Mr. President, if the Senator from Pennsylvania will yield, I have reached the stage in life when I try to be nowhere else on birthdays except at home, where I feel more secure.

But I took note of what the distinguished Republican leader had to say, and I am glad to note that he is a man of the Senate, because when the Senate and the House, or both, are being attacked, we are both being attacked, because we are all Members of Congress, which is a coequal branch of the Government. So I hope that every Member of the Senate will look upon himself as a man of the Senate.

Mr. HUGH SCOTT. I agree. I want to do the best I can to shine in the public eye, and I am sure that we all do.

CONGRESSIONAL BUDGET ACT OF 1974

The ACTING PRESIDENT pro tempore. According to the previous order, the Chair lays before the Senate S. 1541, which will be stated.

The assistant legislative clerk read as follows:

A bill (S. 1541) to provide for the reform of congressional procedures with respect to the enactment of fiscal measures; to provide ceilings on Federal expenditures and the national debt; to create a budget committee in each House; to create a congressional office of the budget, and for other purposes.

Mr. NUNN. Mr. President, I submit an amendment to S. 1541 and ask that it be stated.

The assistant legislative clerk read as follows:

On page 129, lines 10, 11, and 12, strike the words: "or until June 1 preceding the beginning of such fiscal year, whichever first occurs."

Mr. NUNN. Mr. President, this amendment deletes language from S. 1541 which permits action on spending, revenue, or debt measures as of June 1, even in the absence of a budget resolution.

In the original S. 1541, one of the major points that some of us talked about—at least, I think I did—was the fact that we should not have appropriation measures until such time as we had at least agreed to the first concurrent resolution. However, it is in the language in the bill as it now stands. Since the proposed bill does not establish ceilings on individual spending measures, the adoption of the initial budget resolution prior to consideration of spending bills is essential. As it now stands, the Senate would not have to agree to the first concurrent resolution. Such a resolution provides the recommended budget framework and is needed as a guide when taking action on spending legislation.

The prohibition of spending action until the adoption of such resolution is logical and essential. It provides the incentive to complete action on such a resolution. A waiver of the prohibition is available if necessary. Once we start appropriating money without a concurrent resolution, in my opinion, the con-

current resolution provision would be severely diluted.

Such a resolution as recommended in the budget framework is needed as a guide on the prohibition of spending action, and is logical and essential. We should not retain in the bill a provision which highlights and emphasizes the possibility that Congress will not adopt the initial budget resolution as called for.

I also point out—and I think this is important—that we already have a waiver provision, so that an appropriation bill, if it receives a majority vote, can receive consideration, if the waiver is pressed and comes to a vote in the Senate.

The heart of the budget process as embodied in S. 1541 is the initial budget resolution. We should not retain a provision in the bill which highlights and emphasizes the possibility that Congress will not adopt the additional budget resolution as called for.

In the event of need, the bill as drafted, as I have already mentioned, contains provision for waiving the requirement that a budget resolution must precede spending, revenue, or debt action. There is ample flexibility without in any way requiring the June 1 arbitrary date. Such waiver provides sufficient insurance that such legislation can be considered when needed, even absent a budget resolution. The further provision of the June 1 permissive date is unnecessary and carries counterproductive implications.

I believe that we must pass a concurrent resolution before we start appropriating money. I believe that if, for any reason, we do not, and June 1 comes, and then we start taking up appropriation bills one after another, absent a concurrent resolution, the whole process that so many of us have labored so hard to include in the appropriation budgetary process would be to a large degree lost.

I do not wish to make lengthy argument on the subject. I think the amendment is rather simple. If any Senator has any particular question, I shall be glad to answer it. Otherwise, I shall be glad to yield.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PERCY. Mr. President, I should like to address myself to the pending amendment No. 1037 offered by a distinguished member of our Government Operations Committee, the Senator from Georgia (Mr. NUNN), who has worked diligently and hard over a period of many months on this legislation.

We discussed at great length in the Government Operations Committee the impact of such a provision, and I came to the very firm conclusion that we need to instill in the procedures that are

adopted enough discipline so that we would not feel that these dates that are established in the timetable are something that can just be breached and overlooked in the rush of other matters. If we specifically provide that we cannot appropriate a single penny until we adopt the concurrent resolution, and that this must be done by June 1, I think it will help instill a sense of discipline in the Congress that is very much needed.

There is a great deal of logic to the view that we should not begin the appropriation process until we know where we are going. I mentioned just a few days ago that this bill should be compared to a group of people starting out on a journey. If you are going to get some place, you need to know where you are going first; and the problem is that we do not ever agree on the destination of the journey, therefore we meander around and do not end up at the same place. If we agree on where we are going, and agree that we will adopt that concurrent resolution and establish a spending limit before we begin the appropriation process, then we can evaluate the appropriation process with a much better perspective.

For that reason, I believe that the amendment offers a great deal of virtue and adds considerably to the strength of the bill, and I would hope it could be accepted by the Senate.

Mr. ROBERT C. BYRD. Mr. President, I think I have an understanding of the Senator's amendment. Would he briefly explain it once again?

Mr. NUNN. Yes, I shall be glad to.

As I understood the original bill as it was approved by the Government Operations Committee, it was the specific intention of our committee to be assured that the first concurrent resolution would be agreed to by Congress prior to the consideration of appropriation bills; but as this bill has emerged from the Rules Committee, it now provides that appropriations, debt, or revenue bills can be considered after June 1 or on the adoption of the concurrent resolution, whichever is the first to occur.

As I indicated in my little presentation on the amendment a few moments ago, there is already a waiver provision, so that we could, with a majority vote of the Senate, waive the requirement of having the concurrent resolution agreed to before the appropriation measures, or any specific one. But the June 1 date is there, which says, in effect, that we can start appropriating money after June 1 even absent the adoption of the concurrent resolution, to my mind creates a disincentive to adopting the concurrent resolution; so I would much prefer to rely on the waiver on an individual basis, which would keep, in my opinion, the spotlight in focus on the fact that we had not performed the essential business of the Senate and the country if we had not agreed to the concurrent resolution; and therefore my amendment, very simply, knocks out June 1 as an alternative triggering device to give us permission to go forward with the appropriation measures.

Mr. ROBERT C. BYRD. If the date of June 1 is reached, and the concurrent resolution has not yet been adopted, and

if a number of appropriation bills are backed up ready for action on the Senate floor, would a single waiver open the door for more than one appropriation bill, or would a waiver be required as to each appropriation bill under those circumstances?

Mr. NUNN. The Senator from Georgia understands that under those conditions a waiver would be required for each appropriation bill. I would certainly hope that is the way it is. It is my understanding that we would have to address each appropriation bill on a request from whoever was handling that bill.

The point is not that we would be prevented from taking up the appropriation bills, but a majority of the Senate would have to reach that decision, and there would be a real emphasis on the fact that we needed to agree to the concurrent resolution.

I could be misinterpreting the statute, but it is my understanding that it would be necessary on each measure.

Mr. ROBERT C. BYRD. Mr. President, there is certainly something to be said on behalf of the Senator's proposal. The reason the Rules Committee wrote the provision as it appears, with the understanding and consent of staff people from other committees, was in view of the realities of the situation, recognizing the fact that it may be impossible, on occasion, for the Senate to reach an agreement on a concurrent resolution by June 1.

The built-in timetable is already a rather stiff one, and it was felt that appropriation bills should not be held up beyond June 1 in the event that they had already been reported and the Senate leadership was prepared to call them up by that date.

I understand that the waiver would relieve that situation in the event that the Senate found it impossible to agree to a continuing resolution, thus permitting the Senate to proceed with appropriation bills. I would like to have an opportunity to consult with the managers and staff people before I personally accept the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Georgia.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will please call the roll. The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Mr. METZENBAUM. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I have no objection to the amendment offered by the very distinguished junior Senator from Georgia (Mr. NUNN). I think there is a consensus among those of us here who have had some exposure to this measure prior to its debate on the floor, that in the event more than one appropriation bill has been cleared for action by the Senate, a single waiver—a single motion to waive the provision, with respect to each of an

enumerated list of appropriation bills, would suffice; so that, indeed, a waiver in connection with each of the appropriation bills would not be required under those circumstances.

I repeat, if more than one appropriation bill were awaiting action and the waiver were directed toward all of those appropriation bills awaiting action, then the single waiver, approved by a majority vote of the Senate, would obviate the necessity for giving subsequent waivers for each of the appropriation bills.

Mr. NUNN. Mr. President, I would agree with the Senator's statement—

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate? I have a little difficulty expressing myself when there are other conversations in progress, and I also have some difficulty hearing others. We should have better order in the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Mr. NUNN. Mr. President, I would agree with the assessment made by the distinguished Senator from West Virginia. I know that he is very knowledgeable not only of Senate rules in general but also of the particular rules in this case, and I have great respect for him and for his knowledge. I would think that the Committee on Appropriations which would be reporting all appropriations could decide the form of the waiver it wanted. If it wanted a waiver for the agriculture bill, the military appropriation bill, or whatever, the committee could do it as broadly or as narrowly as it wanted, based on the responsibility of the Appropriations Committee, which would depend on the situation. They would either decide to go the narrow way or they might want to go the broad way. At that time, Senators who felt that they needed to put the pressure on to have a concurrent resolution passed, would have the right to oppose the waiver with time limitations written into the bill, so that they could decide what method they wanted. So I would agree with the Senator from West Virginia.

Mr. ROBERT C. BYRD. One further question, if I may—

Mr. President, may we have order in the Senate? I do not see any necessity for clerks to be standing in the aisles while a Senator is speaking.

The PRESIDING OFFICER. The Senator's point is well taken. Attachés will not stand in the aisles when the Senator from West Virginia or any other Senator is addressing the Chair.

Mr. ROBERT C. BYRD. Mr. President, I certainly respect all the clerks of committees. I realize that they have a heavy responsibility. I frankly do not see how we can get along without them. They are the experts in many ways, but I wish they would keep in mind that this is the Senate Chamber. Of course, they have to await the pleasure of a Senator if he asks them for advice; but otherwise I would think it would preserve better order in the Senate if aides and clerks to Senators would be seated.

The PRESIDING OFFICER. The distinguished Senator's point is well taken. Attachés and aides will please retire to

the rear of the Chamber unless their Senator requests a discussion with them. They will please remain in their seats while a Senator is addressing the Chair.

Mr. ROBERT C. BYRD. I thank the Chair very much.

Mr. President, now if I may ask a further question of the Senator from Georgia, if I understand the Senator's amendment correctly, the House of Representatives, where appropriation bills customarily originate—not by order of the Constitution, but customarily originate—would not be forced to await approval of the concurrent resolution by the Senate prior to initiating floor action in the House of Representatives on appropriation bills that may have accumulated there. Am I correct?

Mr. NUNN. I would think that is a correct assessment. I believe this applies only to the Senate.

Mr. ROBERT C. BYRD. So, the House, in the event it wished to waive the requirement for a continuing resolution in order to start the appropriation bill moving, could proceed to do so, regardless of the stage at which matters had developed in the Senate at that particular moment?

Mr. NUNN. The Senator from Georgia reads the bill so that the House of Representatives would not be precluded from getting their own waiver, but that this provision does apply to both the Senate and the House and that the House would have to do the same thing over there that we would have to do over here, in that they would have to await a waiver, unless a concurrent resolution is passed.

Mr. ROBERT C. BYRD. But neither House is forced to await the action of the other body in this respect before moving to waive the particular provision?

Mr. NUNN. I think the Senator is correct. Not only under the bill, but also, I believe, as a constitutional matter, there could be nothing which would prohibit the Senate from waiving one of its own rules.

Mr. ROBERT C. BYRD. I am not asking that. I just want to be sure that the House would not be forced—under the bill as amended by the Senator's proposed amendment—in connection with appropriation bills, to await the pleasure of the Senate, if the House is ready to act.

Mr. NUNN. I am not certain that I completely understand the Senator's question, but it is my impression of the bill that we provide for waivers in each House.

Each House could act independently to go ahead and proceed, if they waived the rule in that House. Does that answer the Senator's question?

Mr. ROBERT C. BYRD. Yes, that answers my question. In other words, if the Senate, at a given time, is debating the continuing resolution and has not waived the requirement, the House, on the other hand, may proceed, if it wishes to waive the provision. If the House has not at that point approved the continuing resolution, the House may proceed to waive that requirement and enact appropriations and get them moving over to the Senate. Am I correct?

Mr. NUNN. The Senator from Georgia

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agrees with the Senator from West Virginia as he has stated that basic premise.

Mr. ROBERT C. BYRD. Mr. President, I congratulate the Senator on his amendment. I think it is a salutary one and improves the bill, with the understanding we have had here.

Mr. NUNN. I thank the Senator from West Virginia.

As I have said in the past, I appreciate greatly the work that the Senator from West Virginia has done, because without him, I think it would have been impossible to reach the kind of broad consensus we have reached on this bill in order to obtain its passage.

Mr. ERVIN. Mr. President, the distinguished Senator from Georgia is a member of the Government Operations Committee and has done yeoman work in the formulation of the bill reported by the Government Operations Committee.

I concur in the view of the Senator from West Virginia that it would be wise for the Senate to adopt this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

AMENDMENT NO. 1035

Mr. NUNN. Mr. President, I believe that at the desk is a printed amendment which is numbered 1035. I ask that this amendment be reported.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. NUNN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 143, line 2, before "In", insert "(a) ACTION BEFORE BEGINNING OF FISCAL YEAR.—"

On page 143, line 2, before "In", insert "(a) ACTION the following:

"(2) not later than September 25 preceding the beginning of a fiscal year, the Congress shall complete action on a bill required to be reported under section 310(c)."

On page 143, after line 18, insert the following:

"(b) REQUIRED PROVISION IN NEW BUDGET AUTHORITY LEGISLATION.—Every bill or resolution providing new budget authority for a fiscal year (other than supplemental, deficiency, and continuing appropriations bills and resolutions) shall contain a provision that the new budget authority provided in such bill or resolution shall not become effective until a bill required to be reported under section 310(c) for such fiscal year has been enacted into law.

"(c) LEGISLATION FAILING TO COMPLY SUBJECT TO POINT OF ORDER.—It shall not be in order in either House to consider any bill or resolution providing new budget authority (or any conference report on any such bill or resolution) which fails to comply with the provisions of subsection (b)."

On page 145, beginning with line 14, strike out all through line 11 on page 146, and insert the following:

"(c) BILL REQUIRED TO BE REPORTED.—"

"(1) RECONCILIATION BILL.—If a concurrent resolution on the budget is agreed to in accordance with subsection (a) containing a direction that changes in laws be made, and—

"(A) only one committee is directed to determine and recommend changes, that committee shall promptly make such determination and recommendations and report a reconciliation bill to its House containing such recommendations; or

"(B) more than one committee is directed to determine and recommend changes, each such committee so directed shall promptly make such determination and recommend changes and submit such recommendations to the Committee on the Budget of its House, which upon receiving all such recommendations, shall report to its House a reconciliation bill containing, without substantive revision, all such recommendations.

A reconciliation bill reported under this paragraph shall contain a provision that the new budget authority provided for the fiscal year in bills and resolutions previously enacted (as changed by such reconciliation bill) shall become effective.

"(2) BILL TO EFFECTUATE NEW BUDGET AUTHORITY.—If a concurrent resolution on the budget is agreed to in accordance with subsection (a) and such concurrent resolution does not contain any direction that changes in law be made, the Committee on the Budget of each House shall promptly report to its House a bill providing that the new budget authority provided for the fiscal year in bills and resolutions previously enacted shall become effective.

"(d) COMPLETION OF ACTION ON REQUIRED BILL.—Congress shall complete action on a bill required to be reported under subsection (c) for a fiscal year not later than September 25 immediately preceding the beginning of such fiscal year."

On page 146, lines 17 and 20, strike out "reconciliation".

On page 147, strike out lines 12 through 17, and insert the following: "unless the Congress has completed action on a bill required to be reported under subsection (c) for the fiscal year beginning on October 1 of such year."

On page 147, line 24, beginning with "all", strike out all through "bill" on line 3, page 148, and insert "a bill required to be reported under section 310(c) for a fiscal year".

On page 119, in the matter preceding line 1, after "reconciliation bill implementing second required concurrent resolution" insert "or bill effectuating new budget authority".

On page 122, strike out lines 5 through 14.

On page 122, line 15, strike out "(2)" and insert "(1)".

On page 122, line 21, strike out "(3)" and insert "(2)".

On page 122, line 25, strike out "(4)" and insert "(3)".

Mr. NUNN. Mr. President, I think this is a very important amendment, and I would have to say at the outset that I am under no illusions as to the chances of this amendment receiving a majority vote at this point; but I do believe sincerely that the record should be made. The amendment, it should be pointed out, contains a very good device that was in the original Government Operations bill which was deleted in the Rules Committee.

However, I believe that in the future we may very well come back to it, either in conference committee or perhaps at a later date on recommendations of the budget committee.

Under the proposed version of S. 1541, all newly enacted budget authority becomes effective and available for obligation on October 1, the first day of the fiscal year. Substantial amounts of Federal funds will become committed beyond

the possibility of rescission on that date. I think this is a very important point. No matter what we say in the bill, no matter what we say in any of the provisions of the bill, once October 1 rolls around and we do have the appropriation bills which are in effect, at that point it becomes very difficult—and in some cases, almost impossible—to really come up with the rescission bill or the reconciliation bill that is demanded by the second concurrent resolution.

A reconciliation bill containing rescission of any budget authority, therefore, must be enacted before October 1 if it is to be effective. After October 1, as a practical matter, it will be too late. Any Member or coalition thereof with any motive to avoid rescissions will have incentive to employ dilatory tactics to delay a reconciliation bill until after October 1, when all spending authority will have already become effective. Therefore, a small minority can easily, under some circumstances, accomplish this result.

Therefore, spending measures, in my opinion, should contain a clause delaying their effectiveness until enactment of a triggering bill which will be the final step in the budget process. Such a measure will insure that a majority of Congress must act on the entire spending profile at the end of the budget process and before any funds can be obligated beyond the possibility of rescission. This will prevent a small minority from locking in a spending pattern that a majority has decided it wants to change.

If the majority wishes to make no changes in the spending measures which have been enacted, it will simply enact a triggering bill effectuating all such spending and making no rescissions.

The House bill, H.R. 7130, the budget measure which has been passed by the House, contains provisions which have a similar effect. Although they are different provisions, they have a very similar effect to the triggering proposal I am making here.

There is some well-stated opposition to this particular provision, and I think the Rules Committee did a good job of laying out this opposition, although I take exception to each of the items they show as reasons for rejecting the triggering provision.

First, the opponents of the triggering bill argue its extreme sensitivity to Presidential veto, which would result, in their opinion, in throwing the entire budget process into chaos.

Mr. President, I respond to that argument by saying that the triggering measure, whether a part of the reconciliation bill or a separate bill, will be the wrap-up of the budget process, if my amendment is agreed to, which has worked itself out over the preceding 9 months. A triggering device would reflect final, up-to-the-minute adjustments in spending, revenues, and debt as appropriated just prior to the beginning of the budget year. It will be the embodiment of the responsible fiscal action by Congress and will result from painstaking effort and delicate compromise.

Veto of such a bill will likely be susceptible to being overridden by Congress;

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and, if not overridden, presumably adjustments could be made to satisfy the administration.

I think this is a very important point, because there are no provisions in this amendment or in any triggering device which inherently presents any problem that would not also be presented now under the provisions of S. 1541 by the veto of the President of the United States of the reconciliation bill, a danger which the present bill now has.

I submit that if we are really serious about the second concurrent resolution and if we are really serious about the reconciliation bill, which some of us hope will be coming if we have overspent, and if we have gone over the ceiling we originally imposed, based on what is in the best economic interests of this Nation—if we are serious about that process, then I think we must concede that that reconciliation bill, if it is vetoed by the President, would be just as dangerous, would be just as disruptive, and would create just as much chaos as a triggering measure veto.

The second major argument that the opponents argue is that with the trigger neither Congress nor the President will know the exact amount of an appropriation with finality until well after its enactment and that this is too great a degree of ambiguity.

I say in response to that that the reconciliation bill creates exactly the same ambiguity, and is now a part of S. 1541. No greater degree of uncertainty would be added by a triggering device. Since the budget process is to be completed prior to the start of the fiscal year, with no spending until the fiscal year begins, this certainty as to the appropriation levels is not needed until the end of the process when adjustment can be made.

At the present time most of the appropriation bills are passed well after the fiscal year. I do not think that last year, in 1973, a single appropriation measure was passed prior to the beginning of the fiscal year. So we are dealing with a tremendous amount of uncertainty now.

While I agree that this bill and the provisions of this bill greatly will change the present situation, we all hope, I must say, that the reconciliation bill will carry with it the same degree of certainty as this provision which I recommend.

Another argument, the opponents claim, is that the existence of a triggering bill would produce incentive to "pad" appropriations and requests in the expectation that there will later be cuts.

Such incentive, if indeed there is any, is an unavoidable aspect of any process which allows for rescission of appropriations. It is a product of the reconciliation bill and the possibility of later decisions to decrease amounts provided earlier. The incentive to "pad" would not stem from the introduction of a triggering step in the process.

The final argument of opponents is the claim that since the effectiveness of all spending bills would depend on a trigger, any delay of the triggering measure beyond the start of the fiscal year will necessitate the use of continuing resolutions. This, in turn, would cause the

new, supposedly efficient budget process to fall into disrepute.

I say in response, that there is, indeed, under the provision I propose a possibility of continuing resolutions. There would be in effect, however, not for 6 or 8 months as is now the case, but for only a few days or at most a few weeks while Congress worked out the compromises needed to allow passage of the triggering measure. This would be a situation in which continuing resolutions would be employed for a brief period to enable Congress to carry out its obligations and to put its fiscal house in order. Surely use of this device to allow sufficient time for completion of a highly complex and vitally needed process is justifiable and will not destroy the credibility of the budget process.

Mr. President, I urge the Senate not only to consider this amendment today, but also I hope the conference committee, in the event this fails today, would consider this in lieu of the House provision which requires all appropriation measures to remain at the desk. That is a very similar way of handling the dangers I pointed out, but it is not as good a way as the device the Committee on Government Operations had and which I submit as an amendment. So I hope this proposal is considered favorably today and that later the Budget Committee will give it favorable consideration because in my estimation when October 1 rolls by, if we have not passed the requisite reconciliation bill, it will be too late, and even though we have a provision saying Congress cannot adjourn until the reconciliation bill is passed, if it is carried by a second resolution, I submit after October 1 that will be no real disincentive because the bar on adjournment has been tried several other times and can be waived by simple majority. Then we have simple appropriation bills in effect, some of which can be constitutionally challenged. When October 1 comes around, much of the appropriation measure could not be rescinded even if a majority wanted to rescind.

Mr. ERVIN. Mr. President, if I considered only my views on this matter I would support the amendment of the distinguished Senator from Georgia. However, my long service in the Senate has taught me I have to be pragmatic, and I must support the measure that will be adopted by a majority in both houses, for otherwise we will have no legislation on this subject.

This amendment incorporates a provision that was in the bill when it came from the Committee on Government Operations, but it was eliminated by the Committee on Rules and Administration. The Committee on Rules and Administration was of the opinion, and strongly of the opinion, that this provision added another step in the appropriation process and made that process too rigid, and for that reason eliminated it.

I am constrained to the view that we should at this time follow the Committee on Rules and Administration and leave the provisions of this amendment out of the bill.

The Committee on Rules and Admin-

istration felt that the bill without this provision would operate effectively. I believe the better part of wisdom is to follow that view at this time and leave to the future the question of whether or not Congress will exercise enough self-discipline to make the bill, in its present form on this aspect, effective. If it should prove in the future that this conclusion is not sound, then Congress could add what I think is a wise provision to the bill at a subsequent time.

But we have to get a majority vote of the Senate to get any bill at all, and many members of the Committee on Rules and Administration, and many other Senators, are opposed to this proposition. As a pragmatic matter, I hope the Senate will at this time defeat the amendment, recognizing that perhaps at some future time it may be necessary to adopt it.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. NUNN. I am glad to yield to the Senator from Illinois.

Mr. PERCY. I wish to make a brief comment, and I am certain that the distinguished Senator from Georgia would want to rebut both sides of the aisle.

I have expressed deep appreciation to the members of the Committee on Rules and Administration of the Senate for their contribution and on balance they have done a remarkable job.

In consequence of that, although I highly commend the Senator from Georgia (Mr. NUNN) for the contribution he has made and his attempt to make this bill as tough a bill as possible, in the best sense of that word, I think on balance I stand with the chairman of the Committee on Government Operations and would regretfully vote "no" on this amendment. I do so saying to the distinguished Senator from Georgia that he is one up this morning and possibly one down, and his net contribution has been immense. Obviously it will be discussed in conference, but I regretfully will have to vote "no" on the amendment.

Mr. NUNN. Let me say I completely understand the position of the distinguished Senator from North Carolina, chairman of the Government Operations Committee, and the distinguished Senator from Illinois, the ranking minority member of the committee. Both of them not only have done an excellent job in getting the bill out of the Government Operations Committee and subcommittee, but also have done a remarkable job in working with the Rules Committee and the Senator from West Virginia in coming up with a version which, while not perfect, certainly goes a long way toward restructuring what is an archaic and outdated budgetary process.

So while I do not agree, I understand their opposition to this amendment. I appreciate their kind words in speaking on the amendment, on an individual basis. I know they will support a device which will go a long way toward assuring that not only the theoretical intent of the budgetary process is passed and implemented, but also, as a practical matter, that we in the U.S. Senate and we in the Congress really do mean

what we say about budgetary reform and that we really do mean what we say about having a limit passed at the beginning of the process which we intend to live with unless we change it on the basis of economic reasons or on the basis of great changes that may occur.

I reiterate that I do not believe the bill as presently constituted, without my amendment, requires the accountability we are going to have to have if we are going to have real budgetary reform, if we are really going to do what the Senator from Virginia talked about so eloquently, if we are really going to balance the budget in years of inflation.

I am not one of those who believes we can balance the budget in periods of severe depression or war, but I believe we have demonstrated, and the Executive has joined us in that, that any time we have 4 straight years of accumulating a debt in the neighborhood of \$100 billion, in a period of high inflation, we really have a long way to go in having an effective process.

I would like to ask the Senator from North Carolina his opinion. If this amendment today is not adopted, does the Senator from North Carolina anticipate this bill will be one of the possible grounds for discussion in conference committee in lieu of the present House provision, which may or may not be accepted by the Senate, the House provision being that appropriation measures shall remain at the desk until we pass a reconciliation bill? I simply ask the Senator from North Carolina if he believes this could be considered as a compromise.

Mr. ERVIN. I believe the rules of the House would not permit the consideration of anything not in the House-passed bill. For that reason, I do not believe that the conference could consider the provisions of this amendment, if the amendment should be rejected, which I hope under the circumstances it will be.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. NUNN. Mr. President, the Senator from Georgia is advised, in response, that the House bill provides appropriation measures will be at the desk, and it is encompassed simply as part of the House rules. I am sure we will study it and give some attention to it, but I believe it could come up in conference.

Mr. ERVIN. There may be a difference of opinion on that point. My own opinion is that the provision of the House bill to the effect the Senator mentioned is not sufficiently related to the provision of his amendment to put this matter in conference. I frankly do not believe the conferees would be permitted to consider this measure in conference if it should be rejected by the Senate.

Mr. NUNN. I thank the Senator.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from Georgia yield?

Mr. NUNN. I am glad to yield.

Mr. HARRY F. BYRD, JR. It seems to me the Senator from Georgia has raised a most important point, and unless the proposal of the Senator from Georgia is enacted, or something similar to it, it occurs to the Senator from Virginia

that the legislation now before us will not be the effective instrument that it could be if the amendment of the Senator from Georgia were adopted.

Mr. NUNN. I thank the Senator from Virginia. I yield now to the Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, I shall be very brief.

I appreciate the motives of the distinguished Senator from Georgia. I know he is attempting to write into the measure additional disciplinary provisions that will aid in bringing about the objective of fiscal responsibility that we all seek, but I am afraid that it would have the effect of being impractical in that regard. I think it would also add an additional time-consuming step in the process of completing action on all appropriation bills.

Moreover—and I understand he has already addressed himself to this objection, but to me it is a formidable one—I fear that the adoption of this amendment would enable the President, by one single stroke of the pen, and by vetoing the triggering measure, to effectively veto every appropriation bill that had been enacted prior thereto.

This would mean that with one veto the President could veto 13 regular appropriation bills and any number of supplemental and emergency appropriation bills. I am just not going to go that far.

May I say also to the distinguished Senator, I certainly agree with the Senator from North Carolina's interpretation of the situation with which we will be confronted in conference. It is my understanding the House measure does not contain this triggering provision. Consequently, it would not be in conference if the Senate were to reject the amendment offered by the distinguished Senator from Georgia.

Mr. NUNN. I am certain the Senator from West Virginia has a better knowledge of the rules of conference than the Senator from Georgia, but there is a House provision that would prevent appropriation bills from going into effect prior to October 1. The motive of the House provision is the same as the motive of this provision. I guess it would be a matter for the conference to decide whether this would be appropriate.

Mr. ROBERT C. BYRD. I do not think so. I think a point of order would be raised against it, because the House language provides that the appropriation bills shall be held at the enrolling clerk's desk, whereas the Senate's amendment provides that bills, after they are passed through both House and Senate and go through conference, shall be held at the President's desk until such time as the triggering process is enacted. There is a great gulf between the two, so great that I think a conference could not legitimately consider the Senator's proposal.

Mr. NUNN. I would certainly defer to the Senator from West Virginia's judgment on that matter.

I would like to make one observation. I hope we are sincere about the reconciliation measure. I hope we do not believe we are not going to be rescinding the appropriating authority if we go

above the ceiling. I would submit if the President decided to veto the reconciliation bill, he would have, in effect, done away with the appropriation process and the really responsible part of it, for that matter. Although the appropriation measures would be in effect, the entire budgetary process, with veto of the reconciliation bill, would be thrown into a complete state of disarray. The President, by vetoing, would be vetoing what had been enacted by the House and Senate. Although S. 1541 does have provisions which gives the President some authority in that respect, he would not do that.

I will also say that if the President decides to veto 14 appropriation bills, there would be some kind of disincentive for Congress to pass appropriation bills if the President were going to veto all 14. So I would have a hard time saying that the President would not veto a triggering bill.

I just have some difficulty believing that the President of the United States would veto every appropriation bill. That would be vetoing a year's work in Congress, unless he were ready to see the country close down. The Government employees' salaries could not be paid because they depend on appropriations. If the President vetoed the bills, he would be overridden more quickly than can be imagined.

Mr. ROBERT C. BYRD. Mr. President, I would not rule out that possibility, because I must say that I have seen many things happen of late that I would not have dreamed could have happened.

Mr. NUNN. I would agree with the Senator. I think that both old men's dreams and young men's visions would not have included some of the things I have seen in the last year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. NUNN. Mr. President, I have another matter which I think will not take much time at all. I call up amendment No. 1036, which is a printed amendment and is at the desk. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

On page 127, after line 8, insert the following:

(h) STUDY OF CERTAIN PROCEDURES.—The Committee on the Budget of each House shall conduct a study to determine the feasibility of adopting and implementing the procedures described in subsection (b), and shall report the results of such study to its House as soon as practicable, but not later than the first day of the first session of the Ninety-fourth Congress.

Mr. NUNN. Mr. President, this amendment, which deals generally with the same subject matter that I have just referred to, expresses my concern. I will not repeat the arguments I have made, but this amendment is a triggering device amendment.

The amendment simply provides that the committee on the budget of each House shall conduct study to determine the feasibility of adopting and implementing the procedures described in subsection (b) and shall report the results of such studies to its House as soon as

practicable, but not later than the 1st day of the 1st session of the 94th Congress, which is January 2, 1975.

I think it is imperative that such an amendment as this be included in the bill. I would hope that the manager of the bill would accept the amendment. I would be receptive to a change in the date.

Mr. ROBERT C. BYRD. Mr. President, I certainly do not object to this amendment. I am willing to accept it. I think I can speak for my colleagues (Mr. ERVIN and Mr. PERCY) in saying that there is no objection to the amendment. I think, as a matter of fact, it would be good if such a study were conducted.

I am wondering, in view of the willingness of the Senator from Georgia to modify the amendment, whether he would agree to do so by striking the words "ninety-fourth" and inserting in lieu thereof "ninety-fifth".

Mr. NUNN. As I understand, if it were to be the 95th Congress, that would give the committee time to make a study and report, and would give us time to study and react to the report. I am willing to accept that modification.

The PRESIDING OFFICER. The amendment is so modified.

The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ROBERT C. BYRD. Mr. President, the Senator from Georgia is batting 66% today.

Mr. NUNN. That is not as good as I had hoped for, but better than I expected. I thank the Senator for accepting the amendment and getting to my amendments as fast as he has done. I congratulate him for getting to the consideration of the bill as fast as it was possible to do so.

Mr. ROBERT C. BYRD. I thank the Senator from Georgia for his valuable contributions.

The PRESIDING OFFICER. The bill is open to amendment.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. NUNN) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

CONGRESSIONAL BUDGET ACT OF 1974

The Senate continued with the consideration of the bill (S. 1541) to provide for the reform of congressional procedures with respect to the enactment of fiscal measures; to provide ceilings on Federal expenditures and the national

debt; to create a budget committee in each House; to create a Congressional Office of the Budget, and for other purposes.

Mr. HARRY F. BYRD, JR. Mr. President, I call up my amendment No. 1051, which is at the desk, and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the appropriate place in the bill add a new section as follows:

Sec. . . Notwithstanding any other provision of this or any other Act, beginning with the fiscal year 1976, the expenditures (budget outlays) of the Government of the United States during each fiscal year shall not exceed its revenues.

Mr. HARRY F. BYRD, JR. Mr. President, I first request that the Senate attaches have the printed amendment placed on every desk in the Senate. I do not find it on the desks.

The PRESIDING OFFICER. The Senate attaches are so instructed and will place a copy of the amendment on the desk of each Member of the Senate.

The Chair is advised that the amendment has just arrived from the printer and copies will be placed on the desks promptly.

Mr. HARRY F. BYRD, JR. I thank the Chair.

Mr. President, yesterday the Senator from Virginia presented an amendment, which would require, beginning with fiscal year 1976, that the President, in submitting his annual budget, submit a budget which was in balance—expenditures with revenues—for all non-trust fund matters. The Senate considered that amendment and rejected it. One reason given in opposition is that it was of doubtful constitutionality; that it was doubtful whether Congress could require the President to submit a balanced budget. The Senator from Virginia did not agree with that reasoning; nevertheless, for that and other reasons, the amendment offered yesterday was rejected.

The reason the Senator from Virginia presented that amendment was his belief that if we are going to get Federal spending under control, if we are going to get back to a balanced budget, if we are going to eliminate the tremendous deficits the Government has been running, then the first step is for the Chief Executive, whoever he may be, to submit to Congress a budget which is in balance. The current budget, for example, was submitted by the President out of balance to the extent of \$18 billion. But, as I mentioned, that amendment was rejected.

The amendment I have called up today is an entirely different one. It is a very brief amendment, and reads as follows:

Notwithstanding any other provision of this or any other Act, beginning with the fiscal year 1976, the expenditures (budget outlays) of the Government of the United States during each fiscal year shall not exceed its revenues.

If this amendment is adopted, it would achieve a balanced budget under the so-called unified concept, which is to say

that the budget, taking into consideration the trust funds as well as the Federal funds, must then be in balance.

This is not as far as I personally would prefer to go. I think it is important to get the Federal funds budget into balance. But if we could achieve a balance in the total spending of the Government, including the trust funds, Congress would have taken a very long, firm, and desirable step toward controlling inflation and maintaining the value of the wage earner's dollar.

I do not believe the average American citizen is aware of just how seriously the Government's financial situation has deteriorated. In the last 20 years, the Federal funds budget has been balanced only three times. It has shown a deficit in 17 out of the last 20 years. The budget has not been balanced since 1960. But worse than that, the trend is in the wrong direction, because the deficits are far greater now than they have been in the past.

The deficit for fiscal year 1970 was \$13.1 billion. The deficit for 1971 was \$30 billion. The deficit for 1972 was \$29.2 billion. The deficit for 1973 was \$25 billion. The deficit for 1974 was \$18.1 billion. The deficit for 1975 was \$17.9 billion.

In that 6-year period, Mr. President, the accumulated Federal funds deficit has totaled \$133.3 billion. In that short period of 6 years, the accumulated Federal funds deficit is \$133 billion. Is it any wonder that the value of the dollar has deteriorated? Is it any wonder that when the housewife goes to the grocery market every week, the purchasing power of her dollar is less and less?

This Government cannot continue to sustain these smashing deficits without further erosion of the value of the dollar. We are considering a piece of legislation, an important piece of legislation, to attempt to reform the budgetary processes of the United States Congress. It is important, I think, that we do improve those processes, and the legislation before us, so ably handled by the able senior Senator from North Carolina on the majority side of the aisle and the able Senator from Illinois on the minority side of the aisle, provides many important, desirable, and necessary changes in procedures. It certainly is an important step in the direction that Congress needs to go. But the legislation itself, as it now stands, will not accomplish and will not require what I think is so important: that we get back to the "old time religion" of a balanced budget.

I recognize that my view is a minority one. I recognize that a majority of my colleagues do not agree with my fiscal beliefs. I recognize also that the easiest thing a legislator can do is vote for more and more spending. That is the easiest thing any of us can do as Members of Congress. And it is even easier when we adopt a practice which has been the practice of the Congress of the United States for a long time now, and has been the policy of the executive branch of the Government for a long time, of spending all the money you want to spend, to spend and spend and spend, but not worry about the revenues and

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not worry about additional taxation. No one has to say for it; all we need to do is add it to the debt.

Well, Mr. President, we are adding it to the debt. The debt at the end of the next fiscal year is projected at \$505 billion. So we are adding it to the debt. But I submit that the people are paying for it, paying for this deficit financing, by an indirect hidden tax; namely, by inflation. The value of the dollar, according to the economist Dr. Heller, who testified before the Finance Committee yesterday, has deteriorated 20 percent in the 3-year period 1972, 1973—and he projects it to include 1974. So our people are paying for it through inflation. Inflation is a tax. It is a hidden tax. I submit, it is a cruel tax. It hits hardest at those in the lower and middle income brackets. It hits hardest at the elderly in our Nation who are living for the most part on fixed incomes. Inflation does not particularly hurt the very wealthy. It may even be helping them. I do not know. But what inflation is doing is eating into every wage earner's pay check and into every housewife's grocery dollar.

The major cause of inflation is the irresponsible and reckless spending policies of both the executive and legislative branches.

The purpose of the amendment which I have submitted today is directly to bring some responsibility to the handling of the financial affairs of the Government of the United States. It will not affect the 1975 budget which is already in the mill and is being processed. It will begin with the fiscal year 1976 with the next budget to be submitted by the President.

The amendment would require that outlays; namely, appropriations by Congress, not exceed the revenues to be taken in by the Government for that fiscal year.

Let us take an example. If the revenues are estimated to be \$300 billion for fiscal year 1976 and Congress desires to spend \$320 billion, then it must raise the additional revenue if it is to spend the additional amount over and above the revenues expected to be taken in during that fiscal year.

I recognize that there are many Members of Congress and, I would guess, perhaps even a majority of Congress, who do not want a balanced budget, who think that deficit spending is a good thing. They are entitled to that view. I recognize that—just as I am entitled to the contrary view.

I know that this deficit spending is a good thing from a political point of view for Members of Congress, because they can spend and spend and spend and spend and not have to raise the taxes to pay for it. They would let it be paid out of inflation which, I say again, is the cruelest tax of all because it hits the working man the hardest, those in the lower and middle-income brackets and those living on fixed incomes, the elderly of the Nation.

Let me read again the amendment:

The expenditures of the Government of the United States during each fiscal year shall not exceed its revenues.

Now, Mr. President, that is a constitutional provision in the constitution of every State among the 50 States in the United States. It is the way every State handles its own budgetary affairs.

The only government which does not have a policy of expenditures not exceeding revenues is the Federal Government of the United States of America.

All of us know how strong the German mark is, the Japanese yen, the Swiss franc, and the Dutch guilder.

I had an interesting conversation at a luncheon with the Finance Minister of West Germany, which has one of the soundest currencies in the world and one of the strongest currencies in the world.

I asked him, "As a matter of curiosity, what is your debt in Germany and what would be your deficit for this fiscal year?"

He said, "Deficit? Deficit? We do not have deficits in Germany. The West German Government does not have deficits. Our Constitution prevents us from having deficits."

Well, the U.S. Constitution does not carry that provision and I do not know that it necessarily should. It might make it too rigid because one cannot quickly change the American Constitution. But there is nothing rigid, nothing unreasonable about the proposal which I have submitted to the Senate today which merely says that the expenditures of the Government of the United States during each fiscal year shall not exceed its revenues.

I think not only is it not unreasonable but if it is essential, if we are going to get any degree of financial responsibility.

The charge may be made, suppose there is an emergency, what do we do then? The law can be changed very quickly, as everyone knows, in the event that there is an emergency required.

Then the charge may be made, well, one Congress cannot bind another Congress. Of course it cannot. The legislation we are considering today, the basic legislation before the Senate, can be repealed. If it is enacted next month, it can be repealed the next month after that, or next year. But if Congress is willing to adopt the amendment I have submitted, then Congress is saying that we are willing, not this year, but we are willing, beginning with fiscal year 1976, to hold Government expenditures within the framework of Government revenues. If it were just for several years that the Federal Government has been running deficits, I would not have the deep concern I have today. I say to my colleagues that it has not been several years. It has been a long period of years. We have had Government deficits in 17 of the last 20 years, and we have not had a balanced budget since 1960—15 fiscal years ago.

I would certainly hope that the Senate would be willing to give consideration to adopting legislation which would merely say that beginning with fiscal year 1976, the expenditures of the Government of the United States during each fiscal year shall not exceed its revenues.

Mr. ERVIN. Mr. President, much of what was said yesterday concerning the amendment offered by the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) and the distinguished Senator

from North Carolina (Mr. HELMS) is applicable to this amendment.

I agree with the Senator from Virginia that the people of the United States are asking Congress to give them bread in the form of financial restraint, but I do not see any use of Congress giving the people of the United States an unconstitutional stone instead of bread.

Article I, section 1, of the Constitution reads:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8 of article I reads:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . .

Clause 7 of section 9 reads:

No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .

This amendment, in effect, says that Congress hereafter shall not exercise its legislative powers except in a certain way, and that Congress hereafter shall be required to raise taxes sufficient to meet the appropriations, and the appropriations will never exceed the amount of the taxes. It is totally ineffective. It is inconsistent with the Constitution, which each Member of the Senate has stated upon oath that he will support, and it is absolutely nugatory. Instead of giving the people of the United States bread in the form of a balanced budget, it gives them an unconstitutional stone.

We might as well recognize that we cannot tie the hands of future Congresses; we cannot nullify the powers of Congress under the Constitution by a simple statute.

As the distinguished Senator from Virginia has said, the next Congress can change any of the provisions in this bill, if it is enacted. That is true. But the provisions of this bill, without this amendment, will be constitutional and of binding effect until they are changed by a subsequent Congress, making the provisions of this bill totally unlike the amendment which the distinguished Senator offers.

Mr. HARRY F. BYRD, JR. If the Senator will yield, that is precisely what this proposal would do.

Mr. ERVIN. This proposal would do nothing. I would vote for it if it was constitutional.

The only way the Senator from Virginia and I can secure making it impossible for Congress to adopt an unbalanced budget is to amend the Constitution and take away from Congress the power it now has, given to it by the Constitution.

Frankly, I do not see the use of adopting an amendment which files in the face of the Constitution and, as I say, gives the people an unconstitutional stone instead of bread.

I share the views of the Senator from Virginia on financial matters in large part, but we cannot get a balanced budget by writing an unconstitutional statute. The only way we are going to get a balanced budget is for the Members of

the Senate and the Members of the House to have the manhood to stand up as they should and levy sufficient taxes to cover the appropriations or cut the appropriations so that they will not exceed the tax revenues available.

If I thought the amendment would have any effect at all and could be adopted by the Senate under its constitutional powers, I would vote for it. I know that it would have no effect, and I do not see any use in cluttering up a bill with provisions that are absolutely inconsistent with the Constitution.

Mr. HARRY F. BYRD, JR. Mr. President, I am astonished to hear the able and distinguished Senator from North Carolina say that it is unconstitutional for Congress to say we are not going to spend more money than we take in. I am utterly astonished at any such assertion.

Mr. ERVIN. I am not saying that. I am saying that it is unconstitutional for this Congress to say that this Congress or any succeeding Congress can do but one thing with respect to the budget, and that is to balance the budget. Congress cannot be stripped of its legislative powers by a legislative act.

Mr. HARRY F. BYRD, JR. Congress has the responsibility. In my judgment—not only the constitutional right but also the responsibility—to the people of the United States of America to bring some financial responsibility to the handling of public funds. To say that the Constitution does not permit Congress to pass legislation specifying that the Gov-

ernment shall live within its income. I find an absolutely astonishing assertion.

The Senator from Virginia may be the only Member of the Senate who is willing to vote to say that we must have a balanced budget. I do not mind being a minority. I do not like it. I am used to it. I know enough about politics; I have been in politics all my life. Politicians like to spend the public moneys, and they do not want to raise the taxes to pay for it. So what do we do? We create these tremendous deficits: 1970, a \$13 billion deficit; 1971, a \$30 billion deficit; 1972, a \$29 billion deficit; 1973, a \$25 billion deficit; 1974, an \$18 billion deficit; 1975, an \$18 billion deficit.

No wonder we have inflation; no wonder the wage earner is saying that it is difficult to make ends meet. I say we will not get inflation under control and we will not get the cost of living under control until we first get Government spending under control. We have to get away from these deficits and this is a procedure for getting away from these deficits.

It is for Congress to say, "Beginning in fiscal year 1976 we are not going to appropriate more money than comes into the Federal Treasury." Congress has control of the taxes. If enough revenue does not come in they can levy more taxes if that is what they want to do. But I submit the only responsible way to handle the fiscal affairs of this Government is to get back to a balanced

budget and that is what this proposal would accomplish.

Mr. ERVIN. Mr. President, I believe that if a majority of the House and Senate or a majority of either body had voted as I have since I came to the Senate in June 1954, the national debt of the United States would not have increased one penny. Also if a majority of the Senate and a majority of the House had voted as I have since I came to the Senate in 1954, the debt limit of the United States would be exactly the same today as it was during the days of President Eisenhower.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the amendment be printed in the Record at this point.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

At the appropriate place in the bill add a new section as follows:

Sec. . . . Notwithstanding any other provision of this or any other Act, beginning with the fiscal year 1976, the expenditures (budget outlays) of the Government of the United States during each fiscal year shall not exceed its revenues.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that two tables I have prepared showing the deplorable financial condition of the Federal Government be printed at this point in the Record.

There being no objection, the tables were ordered to be printed in the Record, as follows:

DEFICITS IN FEDERAL FUNDS AND INTEREST ON THE NATIONAL DEBT, 1956-76 INCLUSIVE

(Prepared by Senator Harry F. Byrd, Jr., of Virginia)

[In billions of dollars]

	Surplus (+) or deficit (-)			Debt interest		Surplus (+) or deficit (-)			Debt interest
	Receipts	Outlays				Receipts	Outlays		
1956	65.4	63.8	+1.6	5.8	1967	111.8	126.8	-15.0	14.2
1957	68.8	67.1	+1.7	7.3	1968	114.7	143.1	-28.4	15.6
1958	66.6	89.7	-3.1	7.8	1969	143.3	148.8	-5.5	17.7
1959	65.8	77.0	-11.2	7.8	1970	143.2	156.3	-13.1	20.0
1960	75.7	74.9	+0.8	3.5	1971	133.7	153.7	-20.0	21.6
1961	75.2	79.3	-4.1	3.3	1972	148.8	178.0	-29.2	22.5
1962	79.7	86.6	-6.9	3.5	1973	161.4	186.4	-25.0	24.2
1963	83.6	90.1	-6.5	10.3	1974	185.6	203.7	-18.1	27.8
1964	87.2	95.8	-8.6	11.0	1975	202.8	220.6	-17.9	29.1
1965	90.9	94.8	-3.9	11.8					
1966	101.4	106.5	-5.1	12.6	20-year total	2,205.6	2,433.0	-227.5	236.4

† Estimated figures.

Source: Office of Management and Budget and Treasury Department, Feb. 4, 1974.

RECEIPTS IN BILLIONS—FEBRUARY 1974

(Prepared by Senator Harry F. Byrd, Jr., of Virginia)

	Fiscal year—							
	1968	1969	1970	1971	1972	1973	1974	1975
Individual income taxes	\$89	\$87	\$90	\$86	\$95	\$103	\$118	\$129
Corporate income taxes	29	37	33	27	32	36	43	48
Total income taxes	98	124	123	113	126	139	161	177
Excise taxes (excluding highway)	10	11	11	10	11	10	11	11
Estate and gift	3	3	4	4	5	5	5	6
Customs	2	2	2	3	3	3	4	4
Miscellaneous	3	3	3	4	4	4	5	5
Total Federal fund receipts	116	143	143	134	149	161	186	203
Trust funds (Social Security and highway, less interfund transactions)	38	44	51	54	60	71	84	92
Total	154	188	194	188	209	232	270	295

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EXPENDITURES IN BILLIONS

	Fiscal year—							
	1968	1969	1970	1971	1972	1973	1974	1975
Federal funds	\$143	\$149	\$156	\$164	\$178	\$186	\$204	\$221
Trust funds (less interfund transactions)	36	36	40	48	54	61	71	83
Total	179	185	196	212	232	247	275	304
Unified budget, surplus (+) or deficit (-)	-25	+3.1	-2	-24	-23	-15	-5	-9
Federal funds deficit	27	6.0	13	30	29	25	18	18

1 Estimated figures.

Mr. ERVIN. I am as much concerned about the fiscal responsibility as the distinguished Senator from Virginia, for whom I entertain most profound affection and highest admiration, but this amendment states, in effect, that the 93d Congress would say to the 94th Congress, the 95th Congress, the 96th Congress, the 97th Congress, and all future Congresses, "You cannot exercise the powers given you by the Constitution of the United States."

Since I have sworn to uphold that Constitution, I cannot vote for a measure which I consider to be null and void under that Constitution, notwithstanding the fact that I find myself in complete agreement with the objectives which caused the distinguished Senator from Virginia to offer it. I wish I could support it, but I just cannot say to the people of the United States, "When you ask me for constitutional bread, I am going to give you an unconstitutional stone." I cannot support the amendment, notwithstanding the fact that I wish we could achieve what the Senator from Virginia has in mind in offering it.

Mr. HARRY F. BYRD, JR. Mr. President, I ask for the yeas and nays on the amendment.

The VICE PRESIDENT. Is there a sufficient second? There is not a sufficient second.

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARRY F. BYRD, JR. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Virginia (Mr. HARRY F. BYRD, JR.). The yeas and nays have been ordered, and clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. WILLIAMS) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) and the Senator from North Dakota (Mr. YOUNG) are absent on official business.

I also announce that the Senator from Vermont (Mr. AIKEN) is absent because of illness in the family.

I further announce that the Senator from Colorado (Mr. DOMINICK), the Senator from Maryland (Mr. MATHIAS), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Oregon would vote "nay" and the Senator from South Carolina would vote "yea."

The result was announced—yeas 35, nays 52, as follows:

[No. 79 Leg.]

YEAS—35

Allen	Domenici	Nunn
Baker	Eastland	Packwood
Bartlett	Fannin	Pell
Bellmon	Goldwater	Ribicoff
Biden	Gurney	Roth
Brock	Hansen	Scott, Hugh
Buckley	Helms	Scott,
Byrd,	Hollings	William L.
Harry F., Jr.	Hruska	Stennis
Church	Hughes	Symington
Cook	Johnston	Talmadge
Curtis	McClellan	
Dole	McClure	

NAYS—52

Abourezk	Haskell	Muskie
Bayh	Hathaway	Nelson
Beall	Huddleston	Pastore
Bennett	Humphrey	Pearson
Bentsen	Inouye	Percy
Bible	Jackson	Proxmire
Brooke	Javits	Randolph
Byrd, Robert C.	Kennedy	Schweiker
Cannon	Magnuson	Sparkman
Case	Mansfield	Stafford
Clark	McGee	Stevens
Cotton	McGovern	Stevenson
Cranston	McIntyre	Taft
Ervin	Metcalf	Tower
Fong	Metzenbaum	Tunney
Griffin	Mondale	Weicker
Hart	Montoya	
Hartke	Moss	

NOT VOTING—13

Aiken	Fulbright	Thurmond
Burdick	Gravel	Williams
Chiles	Hatfield	Young
Dominick	Long	
Eagleton	Mathias	

So the amendment (No. 1057) of Mr. HARRY F. BYRD, JR., was rejected.

Mr. BARTLETT. Mr. President, I ask unanimous consent that I be listed as a cosponsor of amendment No. 1051, which was just voted on.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATHAWAY. Mr. President, I would like to address a question to the junior Senator from Tennessee with regard to title II of the Rules Committee version of the bill which establishes a Congressional Office of the Budget.

It is my understanding that the Senator from Tennessee has been intimately involved in the development of this legislation from its gestation in the Government Operations Committee to its present form and, in fact, is one of the floor managers of the bill.

Mr. BROCK. The Senator from Maine is correct. I have had considerable interest in this legislation and I am particularly interested in title II and in seeing that the Congressional Office of the Budget becomes a vital source of data to the Congress.

Mr. HATHAWAY. I would specifically like to direct the Senator's attention to section 202 of the bill which sets forth the duties and functions of the new office. I note that it is one of the responsibilities of the office to provide information to the Committees of the Budget—and members—which will assist in the discharge of the Budget Committee's responsibilities, with respect to the overall budget, appropriations bills, and other bills which authorize or provide authorization of tax expenditures. In addition, I note that the section requires the office to provide the Committees of the Budget such relevant information as these committees may request.

My question is whether, in your opinion, this language is broad enough to endow the Office with the authority to analyze the effectiveness both in fiscal terms and in substantive terms of the various Federal expenditure programs?

Mr. BROCK. It is certainly the intent of this bill to give Congress the capability of independently reviewing the effectiveness of Federal expenditure programs. The section directed explicitly at this problem is title VII which creates an Office of Program Review and Evaluation in the GAO which would assist committees and members in developing criteria and proper methods of evaluation. Of course, the GAO, under the Legislative Reorganization Act already has the authority for conducting program review and with this bill, would be able to upgrade their already fine work. And my understanding is that the GAO would call upon the information, data, and general assistance of COB as

would be appropriate and that COB would cooperate fully with GAO in these efforts.

Mr. HATHAWAY. I thank the Senator for his forthright answers to my questions, and am hopeful that this new office can provide the Congress with the tools it needs for more effective discharge of its program analysis and oversight position.

Mr. TALMADGE. Mr. President, I take this opportunity to commend the distinguished chairman and members of the Committee on Government Operations and the distinguished chairman and members of the Committee on Rules and Administration for their diligence and dedication to the cause of congressional budget reform.

This is a very complex bill. It deals with a complex subject. On balance, I believe that this is a good and necessary bill. I commend those who have made contributions to its formulation.

Also, I take this opportunity to congratulate my distinguished colleague from the State of Georgia (Mr. NUNN) on his efforts in this regard. During his campaign for the U.S. Senate, he promised the people of our State that he would do something about reckless Federal spending and the absence of a sensible congressional framework for determining spending priorities. My distinguished colleague from Georgia came to the Senate, put his nose to the grindstone, did his homework, and has mastered the subject. The people of our State are grateful for his efforts, and I salute him on a job well done.

AMENDMENT NO. 1028

Mr. KENNEDY. Mr. President, I call up amendment No. 1028, which I am offering jointly with the distinguished Senior Senator from Kansas (Mr. PEARSON). The cosponsors, the distinguished Junior Senator from Kansas (Mr. DOLE) and the distinguished Senator from New Mexico (Mr. DOMINICI).

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 107, lines 16 and 17, strike out "Ninety-sixth Congress" and insert "Ninety-fifth Congress".

Mr. KENNEDY. Mr. President, before considering the amendment, I wish to join in commending the distinguished Senator from North Carolina (Mr. ERVIN), the distinguished Senator from Maine (Mr. MUSKIE), the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD), the distinguished Senator from Illinois (Mr. PERCY), the distinguished Senator from Florida (Mr. CHILES), and the distinguished Senator from Montana (Mr. METCALF), who have, I think, performed an outstanding service to the Senate and the country in developing the proposed legislation. I also commend the staffs who have helped prepare this legislation, especially Mr. Bob Wallace, whom I have known for a number of years, and who served with distinction as Assistant Secretary for Economic Policy in the Department of the Treasury in the early 1960's, under both President Kennedy and President Johnson. He is a capable and able person. I think all of

us are indebted to the committees, and staffs which developed this bill.

Mr. President, I have one amendment. I had a chance, along with my colleague the distinguished Senator from Kansas (Mr. PEARSON), to talk with the chairman of the committee and the ranking member. I understand that they will be agreeable to accepting the amendment.

The amendment is a simple one.

As reported by the Government Operations Committee and the Rules Committee, the proposed Congressional Budget Act will establish comprehensive, far-reaching and long-overdue reforms in the way Congress handles the Federal budget. The proposed act holds out the promise of a historic new era in congressional control and responsibility over Federal spending.

Surely, the new act will become a landmark achievement of the 93d Congress, and a centerpiece in the continuing efforts by the Senate and the House to assert their long-dormant fiscal responsibilities and prerogatives under the Constitution.

The amendment that Senator PEARSON and I are proposing is a modification of one aspect of the bill—the transition rule and grandfather clause accompanying the creation of the new Senate Budget Committee established under the act.

As it should, the new 15-member Budget Committee will join the ranks of major committees of the Senate—the "paragraph 2" committees listed in Senate Rule 25.2. As a result, the so-called "two-major-committee" limitation of Senate Rule 25.6(a) would ordinarily be applicable, under which Senators are not permitted to serve on more than two major Senate Committees.

Therefore, under the usual Senate rule, a Senator who now holds two major committee assignments would be required to give up one of those committees in order to serve on the new Budget Committee.

In dealing with this issue, the bill reported by the Government Operations Committee provided for the immediate application of the two-major-committee rule, as soon as the Budget Committee was established. As reported by the Rules Committee, however, the bill now contains a provision exempting the members of the new Budget Committee from the two-major-committee limitation for nearly 5 years, until January 1979, when the 96th Congress convenes.

The Kennedy-Pearson amendment would make the limitation applicable in January 1977, when the 95th Congress convenes. The amendment would thus limit the exemption to one full Congress instead of two full Congresses, as now proposed in the bill before the Senate.

In general, the theory of the grandfather clause, exempting Senators from the immediate application of the limitation, is wise as applied to the present situation. The new Budget Committee will unquestionably be an important one, but the details of its role and its workload are so unpredictable at this time, that it would be unreasonable to require Senators to choose in advance to give up an existing major committee assignment in order to serve on the Budget Commit-

tee. Therefore, it is appropriate to waive the two-major-committee rule during the initial period of operation of the new Budget Committee under the new budget procedures.

Although the principle of the grandfather clause is thus sound, the difficulty with its application in the pending bill is that it stretches out the "get acquainted" period for too long.

The two-major-committee limitation serves an extremely useful purpose in guaranteeing that the important responsibilities of Senate committees are shared widely among the Members of the Senate. Too often, as we know, the seniority system works in Congress to the disadvantage of capable but junior Members, who frequently must wait many years to win the committee assignments of their choice. By limiting the service of any Senator to no more than 2 of the 13 present "major" committees, the Senate succeeds in large part in making the most important committee assignments available reasonably rapid to new Members, to Members with special training or expertise in a particular committee's jurisdiction, or to others who wish to shift their assignments.

In principle, therefore, in light of the preeminent anticipated role of the Budget Committee, the two-major-committee limitation should be applied to the new committee at the earliest practicable opportunity.

Moreover, there is a strong additional argument for early application of the two-major-committee limitation to the Budget Committee. Applied early, the limitation will serve the important purpose of maximizing the effectiveness of the new committee, because it means that Senators serving on the committee during its early years will have fully committed themselves to the success of the new congressional budget procedure. By giving up an existing major committee, the Members will signal their firm decision to serve in earnest on the new committee without expectation of later withdrawal from its membership.

In terms of the Senate's assertion of its own neglected constitutional responsibilities, a great deal is riding on the success of the Budget Committee. In the long run, the vigor of the new committee and its approach to its vital responsibilities will be best served by filling it as soon as possible with Senators who have made the committee an unequivocal major interest, not a tentative new adventure.

Finally, according to the present schedule for phasing in the new budget procedures, it appears that by 1977, the Senate will have had ample opportunity to assess the work of the new Budget Committee. It is difficult to believe, therefore, that more than a marginal further benefit will accrue if the two-major-committee limitation is deferred beyond 1977 to 1979. At least three factors lead to this conclusion:

First, there is every expectation that the Budget Act will clear Congress and be signed into law by the President within the next few weeks. Certainly, no one expects it to be delayed beyond the end of this Congress. Thus, in all likelihood,

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the new Budget Committee and the new Congressional Office of the Budget will be established immediately, and they can begin staffing and assuming their budget responsibilities at once.

Second, as the bill requires, the transition to the new fiscal year proposed in the bill will take place relatively quickly. The bill extends the 1976 fiscal year from July 1, 1975, until September 30, 1976, at which time the new October 1-September 30 cycle for fiscal years will be in place.

Third, although the bill defers the activation of the concurrent resolution aspect of the new budget process until the fiscal year 1977, which begins on October 1, 1976, the bill also provides that under appropriate conditions, the resolution procedures may be advanced a year to fiscal 1976, which begins on July 1, 1975.

Thus, many of the new budget procedures will be in effect immediately upon enactment. And at the latest, essentially all of the new procedures will be in full effect in 1976 for the second session of the 94th Congress; they may well be in effect in 1975, for the first session of that Congress, if the launching of these new responsibilities goes smoothly.

Why, then, should there be 2 more years, 1977 and 1978, and another full Congress, the 95th Congress, before the two-major-committee limitation comes into effect? By January 1977, the Budget Committee will have had ample opportunity to develop its procedures and assess its workload, and by 1977, the regular Senate rules should apply.

On balance, the Kennedy-Pearson amendment represents a most desirable resolution of the various conflicting interests in the application of the two-major-committee rule. I urge the Senate to consider the amendment and to act favorably upon it.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PEARSON. Mr. President, I am pleased to join in offering this amendment to S. 1541, the Congressional Budget Act, together with my colleagues, Senators KENNEDY, DOLE, and DOMENICI.

Mr. President, we have offered this amendment in the hope of refining a proposal which needs very little improvement. In general, I support passage of S. 1541 as a significant step forward in efforts to achieve a goal we all share. Improvement in our budgetary process is a high priority in Congress, and I commend those of my colleagues who have worked long and hard to bring a bill to the floor which is comprehensive, reasoned, and long needed. The bill which we consider today should, if adopted, return the power of the purse to Congress, where it rightfully belongs, and bring the legislative branch up to date in assuring that it is given the proper tools with which to determine future budget policy.

During consideration of this measure, there was almost unanimous support for the creation of a congressional unit which would be devoted solely to the consideration of budgetary matters. For this reason, S. 1541 creates a 15-

member Budget Committee to be one of the so-called "major committees" in the Senate. Because the bill contemplates a wholly new system of legislating budget policy in Congress, it is desirable that special consideration be given to this committee in its formative stages. For this reason, the bill exempts the Budget Committee from the requirements of paragraph 6, rule XXV of the Standing Rules of the Senate, which states that a Senator can serve on only two so-called "major committees." This exception applies for the remainder of the 93d Congress, as well as the 94th and 95th Congresses.

Throughout consideration of budget reform legislation, I have been concerned that the creation of a powerful Budget Committee would overshadow the work of other Senate committees. I am pleased that much of this concern has been mitigated. But even though I understand the need to allow Senators experienced in budgetary matters to serve on the Budget Committee without losing membership on other committees, I am not convinced that as much as 5 years is needed to accomplish this purpose.

Senators who support the 5-year exemption have argued that this time is needed to insure that the new process is well established before returning to the two major committee membership rule. However, 5 years gives a Senator much time to consolidate his influence over the legislative process through his membership on three major committees, and this situation would, I believe, work to the disadvantage of other Senators and the legislative process.

The time between enactment of this bill and the commencing of the 95th Congress is sufficient for Senators desiring to serve temporarily on the Budget Committee to establish the groundrules and turn the reins over to Members who wish to serve on only one other major committee. Indeed, this amendment could provide added impetus to initiate fully the concurrent resolution process prior to the present target date of fiscal year 1977, a step the committee may take under the bill.

Mr. President, I hope the managers of this bill will accept this amendment, thereby insuring that the intent of the Senate rules in this regard are preserved as much as possible. We are on the verge of approving the most significant reform in our procedures in many years. Certainly, we should not abandon those elements of the present system which have served us well in the past and which need to be protected and supported. I urge the adoption of this amendment.

Mr. ERVIN. Mr. President, I think this is a desirable amendment. It shortens the grandfather clause, but at the same time it gives a Senator who happens to be assigned to the Committee on the Budget a reasonable opportunity to make the decision as to whether he wishes to remain on that committee and give up some other major committee or do the opposite. I think it is a desirable amendment, and I would certainly like to see the Senate agree to it.

Mr. PERCY. Mr. President, I ordinarily am concerned about grandfather clauses.

I speak now as the grandfather of three children whose political affiliations are yet to be determined.

Mr. ERVIN. I take it the Senator is referring to his grandchildren, rather than his own children.

Mr. PERCY. The grandchildren, yes. But in this particular case, I find tremendous virtue in the grandfather clause. Together with the Senator from North Carolina, I was concerned about the way the bill came out of the Committee on Government Operations in this particular respect, in that we were concerned that if immediately, as was provided in the Government operations bill, a Member would have to determine whether to go on the new Budget Committee or give up one of his existing standing committees, we would fail to get enough senior Members on the committee, and obviously, as we know, the power of a committee many times is determined by the knowledge and experience of its membership.

Therefore, in this particular case, it was Senator ERVIN's and my opinion that the Committee on Rules and Administration had improved the bill substantially. I find no objection, however, to gaining that experience in one term of Congress rather than two. It would implement the measure faster. The decision could be made intelligently after that period of time, I believe, particularly knowing that, if this bill is enacted in the very near future, we will have a chance to set this committee up and not only have a chance for experience with it this year, but also one additional full term. So I agree with the modification of the grandfather clause in this particular case, and I find no objection on this side of the aisle.

Mr. KENNEDY. Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

Mr. ROBERT C. BYRD. Mr. President, may I say, on behalf of the Rules Committee—the distinguished chairman is not in the Chamber at the moment—that there is no objection on the part of that committee. This would allow sufficient time for Members appointed to the Budget Committee to determine how the process works and make a decision as to whether or not they want to retain membership on that committee or shift back to the major committee from which they would otherwise move. So I have no objection, and am agreeable to accepting the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

COMPREHENSIVE ALCOHOL ABUSE AND ALCOHOLISM PREVENTION, TREATMENT, AND REHABILITATION ACT AMENDMENTS OF 1974

Mr. HUGHES. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1125.

The PRESIDING OFFICER (Mr. Moss) laid before the Senate the amend-

ments of the House of Representatives to the bill (S. 1125) to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism which were to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974".

TITLE I—FEDERAL ASSISTANCE FOR STATE AND LOCAL ALCOHOLISM AND ALCOHOL ABUSE PROGRAMS

PART A—GRANTS TO STATES

Sec. 101. The heading for part A of title III of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended by striking out "FORMULA GRANTS" and inserting in lieu thereof "GRANTS TO STATES."

Sec. 102. (a) Section 301 of such Act is amended by inserting immediately after "for each of the next two fiscal years" the following: ", \$60,000,000 for the fiscal year ending June 30, 1975, and \$62,000,000 for the fiscal year ending June 30, 1976."

(b) The section heading for such section is amended to read as follows:

"AUTHORIZATION FOR FORMULA GRANTS"

Sec. 103. Section 302 of such Act is amended by adding at the end thereof the following new subsection:

"(d) On the request of any State, the Secretary is authorized to arrange for the assignment of officers and employees of the Department or provide equipment or supplies in lieu of a portion of the allotment to such State. The allotment may be reduced by the fair market value of any equipment or supplies furnished to such State and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the State. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Secretary, but shall for purposes of determining the allotment under section 302(a), be deemed to have been paid to the State."

Sec. 104. Section 303(a) of such Act is amended—

(1) by striking out in paragraph (3) "or groups," immediately after "nongovernmental organizations" and inserting in lieu thereof ", of groups to be served with attention to assuring representation of minority and poverty groups";

(2) by striking out "and" at the end of paragraph (9);

(3) by redesignating paragraph (10) as paragraph (11); and

(4) by adding after paragraph (9) the following new paragraph:

"(10) set forth, in accordance with criteria to be set by the Secretary, standards (including enforcement procedures and penalties) for (A) construction and licensing of public and private treatment facilities, and (B) for other community services or resources available to assist individuals to meet problems resulting from alcohol abuse; and"

Sec. 105. Part A of title III of such Act is amended by adding at the end thereof the following new section:

"SPECIAL GRANTS

"Sec. 304. (a) To assist States which have adopted the basic provisions of the Uniform Alcoholism and Intoxication Treatment Act to utilize fully the protections of that Act in their efforts to approach alcohol abuse and alcoholism from a community care standpoint, the Secretary, acting through the Institute, may, during the period be-

ginning July 1, 1973, and ending June 30, 1976, make grants to such States (other than the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands) for the implementation of the Uniform Alcoholism and Intoxication Treatment Act. A grant under this section to any State may only be made for that State's costs (as determined in accordance with regulations prescribed by the Secretary) in implementing such Act for a period which does not exceed one year from the first day of the first month for which the grant is made. No State may receive more than three grants under this section.

"(b) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information as the Secretary shall by regulation prescribe. The Secretary may not approve an application of a State under this section unless he determines the following:

"(1) Under the laws of that State and of each of its political subdivisions no individual may be subject to criminal prosecution solely on the basis of his consumption of alcoholic beverages.

"(2) The laws of the State respecting acceptance of individuals into alcoholism and intoxication treatment programs are in accordance with the following standards of acceptance of individuals for such treatment (contained in section 10 of the Uniform Alcoholism and Intoxication Treatment Act):

"(A) A patient shall, if possible, be treated on a voluntary rather than an involuntary basis.

"(B) A patient shall be initially assigned or transferred to outpatient or intermediate treatment, unless he is found to require inpatient treatment.

"(C) A person shall not be denied treatment solely because he has withdrawn from treatment against medical advice on a prior occasion or because he has relapsed after earlier treatment.

"(D) An individualized treatment plan shall be prepared and maintained on a current basis for each patient.

"(E) Provision shall be made for a continuum of coordinated treatment services so that a person who leaves a facility or a form of treatment will have available and utilize other appropriate treatment.

"(3) The laws of the State respecting involuntary commitment of alcoholics are not inconsistent with section 14 of such Uniform Act.

"(4) The application of the State contains such assurances as the Secretary may require to carry out the purposes of this section.

"(c) The amount of any grant under this section to any State for any fiscal year may not exceed the sum of \$100,000 and an amount equal to 10 per centum of the allotment of such State for such fiscal year under section 302 of this Act. Payments under grants under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Secretary finds necessary.

"(d) For the purpose of making payments under grants under this section, there are authorized to be appropriated \$13,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years."

PART B—PROJECT GRANTS AND CONTRACTS

Sec. 111. Section 311 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended to read as follows:

"GRANTS AND CONTRACTS FOR THE PREVENTION AND TREATMENT OF ALCOHOL ABUSE AND ALCOHOLISM:

"Sec. 311. (a) The Secretary, acting

through the Institute, may make grants to public and nonprofit private entities and may enter into contracts with public and private entities and with individuals—

"(1) to conduct demonstration, service, and evaluation projects,

"(2) to provide education and training,

"(3) to provide programs and services in cooperation with schools, courts, penal institutions, and other public agencies, and

"(4) to provide counseling and education activities on an individual or community basis,

for the prevention and treatment of alcohol abuse and alcoholism and for the rehabilitation of alcohol abusers and alcoholics.

"(b) Projects and programs for which grants and contracts are made under this section shall (1) whenever possible, be community based, seek to insure care of good quality in general community care facilities and under health insurance plans, and be integrated with, and provide for the active participation of, a wide range of public and nongovernmental agencies, organizations, institutions, and individuals; and (2) where appropriate utilize existing community resources (including community mental health centers).

"(c) (1) In administering this section, the Secretary shall require coordination of all applications for projects and programs in a State.

"(2) Each applicant from within a State, upon filing its application with the Secretary for a grant or contract under this section, shall submit a copy of its application for review by the State agency designated under section 303 of this Act, if such agency exists. Such State agency shall be given not more than thirty days from the date of receipt of the application to submit to the Secretary, in writing, an evaluation of the project or program set forth in the application. Such evaluation shall include comments on the relationship of the project to other projects and programs pending and approved and to the State comprehensive plan for treatment and prevention of alcohol abuse and alcoholism under section 303. The State shall furnish the applicant a copy of any such evaluation.

"(3) Approval of any application for a grant or contract by the Secretary, including the earmarking of financial assistance for a program or project, may be granted only if the application substantially meets a set of criteria established by the Secretary that—

"(A) provides that the projects and programs for which assistance under this section is sought will be substantially administered by or under the supervision of the applicant;

"(B) provides for such methods of administration as are necessary for the proper and efficient operation of such programs and projects;

"(C) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant; and

"(D) provides reasonable assurance that Federal funds made available under this section for any period will be so used as to supplement and increase, to the extent feasible and practical, the level of State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the projects and programs described in this section, and will in no event supplant such State, local, and other non-Federal funds.

"(d) To make payments under grants and contracts under this section, there are authorized to be appropriated \$60,000,000 for the fiscal year ending June 30, 1975, and \$75,000,000 for the fiscal year ending June 30, 1976."