

103D CONGRESS
1ST SESSION

S. 186

To require reauthorizations of budget authority for Government programs at least every 10 years, to provide for review of Government programs at least every 10 years, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26 (legislative day, JANUARY 5), 1993

Mr. REID introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

A BILL

To require reauthorizations of budget authority for Government programs at least every 10 years, to provide for review of Government programs at least every 10 years, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Spending Control and
5 Programs Evaluation Act of 1993”.

6 **SEC. 2. PURPOSES OF ACT.**

7 The purposes of this Act are—

1 (1) to require that most Government programs
2 be reauthorized according to a schedule at least once
3 every 10 years;

4 (2) to limit the length of time for which Gov-
5 ernment programs can be authorized to 10 years;

6 (3) to bar the expenditure of funds for Govern-
7 ment programs which have not been provided for by
8 a law enacted during the 10-year sunset reauthoriza-
9 tion cycle; and

10 (4) to encourage the reexamination of selected
11 Government programs each Congress.

12 **SEC. 3. DEFINITIONS AND CONSTRUCTION.**

13 (a) DEFINITIONS.—For purposes of this Act—

14 (1) The term “budget authority” has the mean-
15 ing given to it by section 3(2) of the Congressional
16 Budget Act of 1974.

17 (2) The term “permanent budget authority”
18 means budget authority provided for an indefinite
19 period of time or an unspecified number of fiscal
20 years which does not require recurring action by the
21 Congress, but does not include budget authority pro-
22 vided for a specified fiscal year which is available for
23 obligation or expenditure in one or more succeeding
24 fiscal years.

1 (3) The term “Comptroller General” means the
2 Comptroller General of the United States.

3 (4) The term “agency” means an executive
4 agency as defined in section 105 of title 5, United
5 States Code, except that such term includes the
6 United States Postal Service and the Postal Rate
7 Commission but does not include the General Ac-
8 counting Office.

9 (5) The term “sunset reauthorization cycle”
10 means the period of 5 Congresses beginning with the
11 One Hundred Third Congress and with each sixth
12 Congress following the One Hundred Third Con-
13 gress.

14 (b) TREATMENT OF PROGRAMS.—For purposes of
15 this Act, each program (including any program exempted
16 by a provision of law from inclusion in the Budget of the
17 United States) shall be assigned to the functional and
18 subfunctional categories to which it is assigned in the
19 Budget of the United States Government, fiscal year
20 1993. Each committee of the Senate or the House of Rep-
21 resentatives which reports any bill or resolution which au-
22 thorizes the enactment of new budget authority for a pro-
23 gram not included in the fiscal year 1993 budget shall in-
24 clude, in the committee report accompanying such bill or
25 resolution (and, where appropriate, the conferees shall in-

1 clude in their joint statement on such bill or resolution),
 2 a statement as to the functional and subfunctional cat-
 3 egory to which such program is to be assigned.

4 (c) REAUTHORIZATION DATE.—For purposes of titles
 5 I, II, and III of this Act, the reauthorization date applica-
 6 ble to a program is the date specified for such program
 7 under section 101(b).

8 **TITLE I—REAUTHORIZATION OF** 9 **GOVERNMENT PROGRAMS**

10 **SEC. 101. REAUTHORIZATION CYCLE.**

11 (a) GENERAL RULE.—Each Government program
 12 (except those listed in section 103) shall be reauthorized
 13 at least once during each sunset reauthorization cycle dur-
 14 ing the Congress in which the reauthorization date appli-
 15 cable to such program (pursuant to subsection (b)) occurs.

16 (b) FIRST REAUTHORIZATION DATE.—The first re-
 17 authorization date applicable to a Government program is
 18 the date specified in the following table, and each subse-
 19 quent reauthorization date applicable to a program is the
 20 date ten years following the preceding reauthorization
 21 date:

| Programs included within subfunctional category | First reauthorization date |
|--|-----------------------------------|
| 254 Space, Science, Applications and Technology. | September 30, 1995. |
| 272 Energy Conservation. | |
| 301 Water Resources. | |
| 352 Agriculture and Research Services. | |
| 371 Mortgage Credit and Thrift Insurance. | |
| 376 Other Advancement and Regulation of Commerce. | |

| Programs included within subfunctional category | First reauthorization date |
|--|-----------------------------------|
| 501 Elementary, Secondary, and Vocational Education. | |
| 601 General Retirement and Disability Insurance. | |
| 602 Federal Employment Retirement and Disability. | |
| 703 Hospital and Medical Care for Veterans. | |
| 806 Other General Government. | |
| 851 General Revenue Sharing. | |
| 051 Department of Defense—Military. | September 30, 1997. |
| 053 Atomic Energy Defense Activities. | |
| 154 Foreign Information and Exchange Act. | |
| 251 General Science and Basic Research. | |
| 306 Other Natural Resources. | |
| 351 Farm Income Stabilization. | |
| 401 Ground Transportation. | |
| 502 Higher Education. | |
| 553 Education and Training of Health Care Work Force. | |
| 701 Income Security for Veterans. | |
| 752 Federal Litigative and Judicial Activities. | |
| 802 Executive Director and Management. | |
| 803 Central Fiscal Operations. | |
| 054 Defense Related Activities. | September 30, 1999. |
| 152 Military Assistance. | |
| 155 International Financial Programs. | |
| 253 Space Flight. | |
| 255 Supporting Space Activities. | |
| 274 Emergency Energy Preparedness. | |
| 302 Conservation and Land Management. | |
| 304 Pollution Control and Abatement. | |
| 407 Other Transportation. | |
| 504 Training and Employment. | |
| 506 Social Services. | |
| 554 Consumer and Occupational Health and Safety. | |
| 704 Veterans Housing. | |
| 751 Federal Law Enforcement Activities. | |
| 801 Legislative Function. | |
| 852 Other General Purpose Fiscal Assistance. | |
| 153 Conduct of Foreign Affairs. | September 30, 2001. |
| 271 Energy Supply. | |
| 303 Recreational Resources. | |
| 402 Air Transportation. | |
| 505 Other Labor Services. | |
| 551 Health Care Services. | |
| 604 Public Assistance and Other Income Supplements. | |
| 702 Veterans Education, Training, and Rehabilitation. | |
| 753 Federal Correctional Activities. | |
| 805 Central Personnel Management. | |
| 902 Other Interest. | |
| 151 Foreign Economic and Financial Assistance. | September 30, 2003. |
| 276 Energy Information, Policy and Regulation. | |
| 372 Postal Service. | |
| 403 Water Transportation. | |
| 451 Community Development. | |

**Programs included within subfunctional
category**

**First reauthor-
ization date**

452 Area and Regional Development.
453 Disaster Relief and Insurance.
503 Research and General Education Aids.
552 Health Research.
603 Unemployment Compensation.
705 Other Veterans Benefits and Services.
754 Criminal Justice Assistance.
804 General Property and Record Management.
901 Interest on the Public Debt.

1 (c) POINT OF ORDER TO PRESERVE SUNSET.—(1)

2 It shall not be in order in either the Senate or the House
3 of Representatives to consider any bill or resolution, or
4 amendment thereto, which authorizes the enactment of
5 new budget authority for a program for a period of more
6 than 10 fiscal years, for an indefinite period, or (except
7 during the Congress in which such next reauthorization
8 date occurs) for any fiscal year beginning after the next
9 reauthorization date applicable to such program. Notwith-
10 standing the preceding sentence, it shall be in order to
11 consider a bill or resolution for the purpose of considering
12 an amendment to the bill or resolution which would make
13 the authorization period conform to the requirement of
14 such sentence.

15 (2)(A) It shall not be in order in either the Senate
16 or the House of Representatives to consider any bill or
17 resolution, or amendment thereto, which provides new
18 budget authority for a program for any fiscal year begin-
19 ning after any reauthorization date applicable to such pro-

1 gram under subsection (b), unless the provision of such
2 new budget authority is specifically authorized by a law
3 which constitutes a required authorization for such pro-
4 gram.

5 (B) For the purposes of this title, the term “required
6 authorization” means a law authorizing the enactment of
7 new budget authority for a program, which complies with
8 the provisions of paragraph (1).

9 (3) No new budget authority may be obligated or ex-
10 pended for a program for a fiscal year beginning after the
11 last fiscal year in a sunset reauthorization cycle unless a
12 provision of law providing for the expenditure of such
13 funds has been enacted during such sunset reauthorization
14 cycle.

15 (4) Any provision of law providing permanent budget
16 authority for a program shall cease to be effective (for the
17 purpose of providing such budget authority) on the first
18 reauthorization date applicable to such program.

19 (5) It shall not be in order in either the Senate or
20 the House of Representatives to consider any bill or reso-
21 lution, or amendment thereto, which provides new budget
22 authority for a program unless the bill or resolution, or
23 amendment thereto (or the report which accompanies such
24 bill or resolution), includes a specific reference to the pro-
25 vision of law which constitutes a required authorization

1 for such program. Notwithstanding the preceding sen-
2 tence, it shall be in order to consider a bill or resolution
3 for the purpose of considering an amendment which pro-
4 vides such reference to the appropriate provision of law.

5 **SEC. 102. REAUTHORIZATION REVIEW.**

6 (a) GENERAL RULE.—It shall not be in order in ei-
7 ther the Senate or the House of Representatives to con-
8 sider any bill or resolution, or amendment thereto, which
9 has been reported by a committee and which authorizes
10 the enactment of new budget authority for a program for
11 a fiscal year beginning after the next reauthorization date
12 applicable to such program, unless a reauthorization re-
13 view of such program has been completed during the Con-
14 gress in which the reauthorization date for such program
15 occurs (or during a subsequent Congress when such re-
16 quired authorization is considered), and the report accom-
17 panying such bill or resolution includes a separate section
18 entitled “Reauthorization Review” recommending, based
19 on such review, whether the program or the laws affecting
20 such program should be continued without change, contin-
21 ued with modifications, or terminated, and also includes,
22 to the extent the committee or committees having jurisdic-
23 tion deem appropriate, each of the following matters:

1 (1) Information and analysis on the organiza-
2 tion, operation, costs, results, accomplishments, and
3 effectiveness of the program.

4 (2) An identification of any other programs
5 having similar objectives, and a justification of the
6 need for the proposed program in comparison with
7 those other programs which may be potentially con-
8 flicting or duplicative.

9 (3) An identification of the objectives intended
10 for the program, and the problems or needs which
11 the program is intended to address, including an
12 analysis of the performance expected to be achieved,
13 based on the bill or resolution as reported.

14 (4) A comparison of the amount of new budget
15 authority which was authorized for the program in
16 each of the previous four fiscal years and the
17 amount of new budget authority provided in each
18 such year.

19 (b) REVIEW OF NEW AUTHORITY.—It shall not be
20 in order in either the Senate or the House of Representa-
21 tives to consider a bill or resolution, or amendment there-
22 to, which authorizes the enactment of new budget author-
23 ity for a program for which there previously has been no
24 such authorization unless the report accompanying such
25 bill or resolution sets forth, to the extent that the commit-

1 tee or committees having jurisdiction deem appropriate,
2 the information specified in subsections (a)(2) and (a)(3).

3 (c) CONGRESSIONAL REVIEW BY AUTHORIZING COM-
4 MITTEES.—Each committee having legislative jurisdiction
5 over a program referred to in section 103 shall conduct
6 a review of such program of the type described in sub-
7 section (a) of this section at least once during each sunset
8 reauthorization cycle, during the Congress in which the
9 reauthorization date applicable to such program occurs,
10 and shall submit to the Senate or the House of Represent-
11 atives, as the case may be, a report containing its rec-
12 ommendations and other information of the type described
13 in subsection (a). It shall not be in order in either the
14 Senate or the House of Representatives to consider a bill
15 or resolution reported by the committee having legislative
16 jurisdiction which authorizes the enactment of new budget
17 authority for such program unless such report accom-
18 panies such bill or resolution, or has been submitted dur-
19 ing the Congress in which the reauthorization date for
20 such program occurred as provided in section 101(b),
21 whichever first occurs.

22 **SEC. 103. PROGRAMS SUBJECT TO REVIEW ONLY.**

23 (a) REVIEW OF CERTAIN PROGRAMS.—The program
24 listed in subsection (b) shall be subject to the reauthoriza-
25 tion cycle and review as provided in section 102(c).

1 (b) PROGRAMS.—The programs referred to in sub-
2 section (a) are the following:

3 (1) Programs included within functional cat-
4 egory 900 (Interest).

5 (2) Any Federal programs or activities to en-
6 force civil rights guaranteed by the Constitution of
7 the United States or to enforce antidiscrimination
8 laws of the United States, including but not limited
9 to the investigation of violations of civil rights, civil
10 or criminal litigation or the implementation or en-
11 forcement of judgments resulting from such litiga-
12 tion, and administrative activities in support of the
13 foregoing.

14 (3) Programs which are related to the adminis-
15 tration of the Federal judiciary and which are classi-
16 fied in the fiscal year 1993 budget under
17 subfunctional category 752 (Federal litigative and
18 judicial activities).

19 (4) Payments of refunds of internal revenue col-
20 lections as provided in title I of the Supplemental
21 Treasury and Post Office Departments Appropria-
22 tion Act of 1949 (62 Stat. 561), but not to include
23 refunds to persons in excess of their tax payments.

24 (5) Programs included in the fiscal year 1993
25 budget in subfunctional categories 701 (Income se-

1 curity for veterans), 702 (Veterans education, train-
2 ing, and rehabilitation), 704 (Veterans housing), and
3 programs for providing health care which are in-
4 cluded in such budget in subfunctional category 703
5 (Hospital and medical care for veterans).

6 (6) Social Security and Federal employee retire-
7 ment programs including the following:

8 (A) Programs funded through trust funds
9 which are included with subfunctional cat-
10 egories 551 (Health care services), 601 (Gen-
11 eral retirement and disability insurance), or 602
12 (Federal employee retirement and disability).

13 (B) Retirement pay and retired pay of
14 military personnel on the retired lists of the
15 Army, Navy, Marine Corps, and the Air Force,
16 including the Reserve components thereof, re-
17 tainer pay for personnel of the Inactive Fleet
18 Reserve; and payments under section 4 of Pub-
19 lic Law 92-425 and chapter 73 of title 10,
20 United States Code (survivor's benefits), classi-
21 fied in the fiscal year 1993 budget in
22 subfunctional category 051 (Department of De-
23 fense—military).

24 (C) Retirement pay and medical benefits
25 for retired commissioned officers of the Coast

1 Guard, the Public Health Service Commissioned
2 Corps, and the National Oceanic and Atmos-
3 pheric Commissioned Corps and their survivors
4 and dependents, classified in the fiscal year
5 1988 budget in subfunctional category 551
6 (Health care services) or in subfunctional cat-
7 egory 306 (Other natural resources).

8 (D) Retired pay of military personnel of
9 the Coast Guard and Coast Guard Reserve,
10 members of the former Lighthouse Service, and
11 for annuities payable to beneficiaries of retired
12 military personnel under the retired service-
13 man's family protection plan (10 U.S.C. 1431-
14 1446) and survivor benefit plan (10 U.S.C.
15 1447-1455), classified in the fiscal year 1988
16 budget in subfunctional category 403 (Water
17 transportation).

18 (E) Payments to the Central Intelligence
19 Agency Retirement and Disability Fund, classi-
20 fied in fiscal year 1993 budget in subfunctional
21 category 054 (Defense-related activities).

22 (F) Payments to the Civil Service Retire-
23 ment and Disability Fund for financing un-
24 funded liabilities, classified in fiscal year 1993

1 budget in subfunctional category 805 (Central
2 personnel management).

3 (G) Payments to the Foreign Service Re-
4 tirement and Disability Fund, classified in fis-
5 cal year 1993 budget in subfunctional category
6 153 (Conduct of foreign affairs).

7 (H) Payments to the Federal Old-Age and
8 Survivors Insurance and the Federal Disability
9 Insurance Trust Funds, classified in fiscal year
10 1993 budget in various subfunctional cat-
11 egories.

12 (I) Administration of the retirement and
13 disability programs set forth in this section.

14 **SEC. 104. MISCELLANEOUS PROVISIONS.**

15 (a) MODIFICATION OF SCHEDULE.—The reauthoriza-
16 tion schedule contained in section 101(b) may be changed
17 by concurrent resolution of the two Houses of the Con-
18 gress (except that changes in the schedule affecting per-
19 manent appropriations may be made only by law).

20 (b) COMMITTEE REFERRAL.—All messages, peti-
21 tions, memorials, concurrent resolutions, and bills propos-
22 ing changes in section 101(b) and all bills proposing
23 changes in section 103, shall be referred first to the com-
24 mittee with legislative jurisdiction over any program af-
25 fected by the proposal and sequentially to the Committee

1 on Rules in the House of Representatives or to the Com-
2 mittee on Rules and Administration in the Senate.

3 (c) COMMITTEE REPORTS.—Except as provided in
4 subsection (e), the Committee on Rules in the House of
5 Representatives or the Committee on Rules and Adminis-
6 tration in the Senate shall report with its recommenda-
7 tions any concurrent resolution or bill referred to it under
8 subsection (b) and which previously has been reported fa-
9 vorably by a committee of legislative jurisdiction within
10 30 days (not counting any day on which the Senate or
11 the House of Representatives is not in session), beginning
12 with the day following the day on which such resolution
13 or bill is so referred.

14 (d) COMMITTEE RECOMMENDATIONS.—The rec-
15 ommendations of the Committee on Rules or the Commit-
16 tee on Rules and Administration pursuant to subsection
17 (c) or (e) shall include a statement on each of the following
18 matters:

19 (1) The effect the proposed change would have
20 on the sunset reauthorization schedule.

21 (2) The effect the proposed change would have
22 on the jurisdictional and reauthorization responsibil-
23 ities and workloads of the authorizing committees of
24 Congress.

1 (3) Any suggested grouping of similar programs
2 which would further the goals of this Act to make
3 more effective comparisons between programs having
4 like objective.

5 (e) COMMITTEE REFERRAL AMENDMENTS TO THIS
6 ACT.—Any concurrent resolution or bill proposing a
7 change in section 101(b) or 103 shall be referred in the
8 House to the Committee on Rules and in the Senate to
9 the Committee on Rules and Administration. Such com-
10 mittee shall report an omnibus concurrent resolution or
11 bill containing its recommendations regarding the pro-
12 posed changes and consideration of such bill or resolution
13 shall be highly privileged in the House of Representatives
14 and privileged in the Senate. The provisions of subsections
15 (c) and (d) of section 1017 of the Impoundment Control
16 Act of 1974, insofar as they relate to consideration of re-
17 scission bills, shall apply to the consideration of concur-
18 rent resolutions and bills proposing changes reported pur-
19 suant to this subsection, amendments thereto, motions
20 and appeals with respect thereto, and conference reports
21 thereon.

22 (f) POINT OF ORDER.—It shall not be in order in
23 the Senate or the House of Representatives to consider
24 a bill or resolution reported pursuant to subsection (a),
25 (b), (c), or (e) which proposes a reauthorization date for

1 a program beyond the final reauthorization date of the
2 sunset reauthorization cycle then in progress. Notwith-
3 standing the preceding sentence, it shall be in order to
4 consider a bill or resolution for the purpose of considering
5 an amendment which meets the requirements of this
6 subsection.

7 **TITLE II—PROGRAM INVENTORY**

8 **SEC. 201. PROGRAM INVENTORY.**

9 (a) PREPARATION.—The Comptroller General and
10 the Director of the Congressional Budget Office, in co-
11 operation with the Director of the Congressional Research
12 Service, shall prepare an inventory of Federal programs
13 (hereafter in this title referred to as the “program inven-
14 tory”).

15 (b) PURPOSE.—The purpose of the program inven-
16 tory is to advise and assist the Congress in carrying out
17 the requirements of titles I and III. Such inventory shall
18 not in any way bind the committees of the Senate or the
19 House of Representatives with respect to their responsibil-
20 ities under such titles and shall not infringe on the legisla-
21 tive and oversight responsibilities of such committees. The
22 Comptroller General shall compile and maintain the inven-
23 tory, and the Director of the Congressional Budget Office
24 shall provide budgetary information for inclusion in the
25 inventory.

1 (c) SUBMISSION DATE.—Not later than April 1,
2 1993, the Comptroller General, after consultation with the
3 Director of the Congressional Budget Office and the Di-
4 rector of the Congressional Research Service, shall submit
5 the program inventory to the Senate and House of Rep-
6 resentatives.

7 (d) CATEGORIES IN REPORT.—In the report submit-
8 ted under this section, the Comptroller General, after con-
9 sultation and in cooperation with and consideration of the
10 views and recommendations of the Director of the Con-
11 gressional Budget Office, shall group programs into pro-
12 gram areas appropriate for the exercise of the review and
13 reexamination requirements of this Act. Such groupings
14 shall identify program areas in a manner which classifies
15 each program in only one functional and only one
16 subfunctional category and which is consistent with the
17 structure of national needs, agency missions, and basic
18 programs developed pursuant to section 1105 of title 31,
19 United States Code.

20 (e) PROGRAM ANALYSIS.—The program inventory
21 shall set forth for each program each of the following mat-
22 ters:

23 (1) The specific provision or provisions of law
24 authorizing the program.

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

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

6 (4) The committees which have jurisdiction over
7 legislation providing new budget authority for the
8 program, including the appropriate subcommittees of
9 the Committees on Appropriations of the Senate and
10 the House of Representatives.

11 (5) The agency and, if applicable, the subdivi-
12 sion thereof responsible for administering the pro-
13 gram.

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

16 (7) The next reauthorization date for the pro-
17 gram.

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

20 (9) The year in which the program was origi-
21 nally established and, where applicable, the year in
22 which the program expires.

23 (10) Where applicable, the year in which new
24 budget authority for the program was last author-

1 ized and the year in which current authorizations of
2 new budget authority expire.

3 (f) UNAUTHORIZED PROGRAMS.—The inventory shall
4 contain a separate tabular listing of programs which are
5 not required to be reauthorized pursuant to section
6 101(c).

7 (g) ANALYSIS OF NEW BUDGET AUTHORITY.—The
8 report also shall set forth for each program whether the
9 new budget authority provided for such programs is—

- 10 (1) authorized for a definite period of time;
- 11 (2) authorized in a specific dollar amount but
12 without limit of time;
- 13 (3) authorized without limit of time or dollar
14 amounts;
- 15 (4) not specifically authorized; or
- 16 (5) permanently provided,

17 as determined by the Director of the Congressional Budg-
18 et Office.

19 (h) OTHER DATA.—For each program or group of
20 programs, the program inventory also shall include infor-
21 mation prepared by the Director of the Congressional
22 Budget Office indicating each of the following matters:

- 23 (1) The amounts of new budget authority au-
24 thorized and provided for the program for each of

1 the preceding four fiscal years and, where applicable,
2 the four succeeding fiscal years.

3 (2) The functional and subfunctional category
4 in which the program is presently classified and was
5 classified under the fiscal year 1993 budget.

6 (3) The identification code and title of the ap-
7 propriation account in which budget authority is
8 provided for the program.

9 **SEC. 202. EXCHANGE OF INFORMATION.**

10 The General Accounting Office, the Congressional
11 Research Service, and the Congressional Budget Office
12 shall permit the mutual exchange of available information
13 in their possession which would aid in the compilation of
14 the program inventory.

15 **SEC. 203. AGENCY COOPERATION.**

16 The Office of Management and Budget, and the Ex-
17 ecutive agencies and the subdivisions thereof shall, to the
18 extent necessary and possible, provide the General Ac-
19 counting Office with assistance requested by the Comp-
20 troller General in the compilation of the program inven-
21 tory.

22 **SEC. 204. CONGRESSIONAL REVIEW.**

23 Each committee of the Senate and the House of Rep-
24 resentatives, the Congressional Budget Office, and the
25 Congressional Research Service shall review the program

1 inventory as submitted under section 201 and not later
2 than June 1, 1993, each shall advise the Comptroller Gen-
3 eral of any revisions in the composition or identification
4 of programs and groups of programs which it rec-
5 ommends. After full consideration of the reports of all
6 such committees and officials, the Comptroller General in
7 consultation with the committees of the Senate and the
8 House of Representatives shall report, not later than July
9 1, 1993, a revised program inventory to the Senate and
10 the House of Representatives.

11 **SEC. 205. REVISIONS OF INVENTORY.**

12 (a) REVISIONS OF INVENTORY.—The Comptroller
13 General, after the close of each session of the Congress,
14 shall revise the program inventory and report the revisions
15 to the Senate and the House of Representatives.

16 (b) CONGRESSIONAL REPORT.—After the close of
17 each session of the Congress, the Director of the Congres-
18 sional Budget Office shall prepare a report, for inclusion
19 in the revised inventory, with respect to each program in-
20 cluded in the program inventory and each program estab-
21 lished by law during such session, which includes the
22 amount of the new budget authority authorized and the
23 amount of new budget authority provided for the current
24 fiscal year and each of the 5 succeeding fiscal years. If
25 new budget authority is not authorized or provided or is

1 authorized or provided for an indefinite amount for any
2 of such 5 succeeding fiscal years with respect to any pro-
3 gram, the Director shall make projections of the amounts
4 of such new budget authority necessary to be authorized
5 or provided for any such fiscal year to maintain a current
6 level of services.

7 (c) LIST OF PROGRAMS NOT REAUTHORIZED.—Not
8 later than one year after the first or any subsequent reau-
9 thorization date, the Director of the Congressional Budget
10 Office, in consultation with the Comptroller General and
11 the Director of the Congressional Research Service, shall
12 compile a list of the provisions of law related to all pro-
13 grams subject to such reauthorization date for which new
14 budget authority was not authorized. The Director of the
15 Congressional Budget Office shall include such a list in
16 the report required by subsection (b). The committees with
17 legislative jurisdiction over the affected programs shall
18 study the affected provisions and make any recommenda-
19 tions they deem to be appropriate with regard to such pro-
20 visions to the Senate and the House of Representatives.

21 **SEC. 206. ADEQUACY ASSESSMENT.**

22 The Director of the Congressional Budget Office and
23 the Comptroller General shall include in their respective
24 reports to the Congress pursuant to section 202(f) of the
25 Congressional Budget Act of 1974 and section 719 of title

1 31, United States Code, an assessment of the adequacy
2 of the functional and subfunctional categories contained
3 in section 101(b) of this Act for grouping programs of like
4 missions or objectives.

5 **SEC. 207. REPORT ON PENDING LEGISLATION.**

6 (a) ANNUAL REPORT.—The Director of the Congres-
7 sional Budget Office shall tabulate and issue an annual
8 report on the progress of congressional action on bills and
9 resolutions reported by a committee of either House or
10 passed by either House which authorize the enactment of
11 new budget authority for programs.

12 (b) CONTENTS OF REPORT.—The report shall include
13 an up-to-date tabulation for the fiscal year beginning Oc-
14 tober 1 and the succeeding four fiscal years of the
15 amounts of budget authority—

16 (1) authorized by law or proposed to be author-
17 ized in any bill or resolution reported by any com-
18 mittee of the Senate or the House of Representa-
19 tives; or

20 (2) if budget authority is not authorized or pro-
21 posed to be authorized for any of the 5 fiscal years,
22 the amounts necessary to maintain a current level of
23 services for programs in the inventory.

24 (c) PROGRAMS SUBJECT TO REAUTHORIZATION.—
25 The Director of the Congressional Budget Office shall

1 issue periodic reports on the programs and the provisions
2 of laws which are scheduled for reauthorization in each
3 Congress pursuant to the reauthorization schedule in sec-
4 tion 101(b). In these reports, the Director shall identify
5 each provision of law which authorizes the enactment of
6 new budget authority for programs scheduled for reau-
7 thorization and the title of the appropriation bill, or part
8 thereof, which would provide new budget authority pursu-
9 ant to each authorization.

10 **TITLE III—PROGRAM** 11 **REEXAMINATION**

12 **SEC. 301. REEXAMINATION BY CONGRESS.**

13 (a) COMMITTEE REEXAMINATION.—Each committee
14 of the Senate and the House of Representatives periodi-
15 cally shall provide through the procedures established in
16 section 302, for the conduct of a comprehensive reexam-
17 ination of selected programs or groups of programs over
18 which it has jurisdiction.

19 (b) SELECTION CRITERIA.—In selecting programs
20 and groups of programs for reexamination, each commit-
21 tee shall consider each of the following matters:

22 (1) The extent to which substantial time has
23 passed since the program or group of programs has
24 been in effect.

1 (2) The extent to which a program or group of
2 programs appears to require significant change.

3 (3) The resources of the committee with a view
4 toward undertaking reexaminations across a broad
5 range of programs.

6 (4) The desirability of examining related pro-
7 grams concurrently.

8 **SEC. 302. FUNDING RESOLUTION AND REPORT.**

9 (a) FUNDING RESOLUTION AND REPORT.—(1) The
10 funding resolution first reported by each committee of the
11 Senate in 1994, and thereafter for the first session of each
12 Congress, shall include, and the first funding resolution
13 introduced by each committee of the House of Representa-
14 tives (and referred to the Committee on House Adminis-
15 tration) for such year and thereafter for the first session
16 of each Congress shall include, a section setting forth the
17 committee's plan for reexamination of programs under
18 this title. Such plan shall include each of the following
19 matters:

20 (A) The programs to be reexamined and the
21 reasons for their selection.

22 (B) The scheduled completion date for each
23 program reexamination, which date shall not be later
24 than the end of the Congress preceding the Congress
25 in which the reauthorization date applicable to a

1 program occurs as provided in section 101(b), unless
2 the committee explains in a statement in the report
3 accompanying its proposed funding resolution (in
4 the Senate), or in a statement supplied by the re-
5 spective committee and included in the report of the
6 Committee on House Administration (in the House
7 of Representatives), the reasons for a later comple-
8 tion date, except that reports on programs scheduled
9 for reauthorization during the 103d Congress and
10 selected for reexamination in a committee's plan
11 adopted in 1993 may be submitted at any time on
12 or before February 15, 1994.

13 (C) The estimated cost for each reexamination.

14 (2) The report accompanying the funding resolution
15 reported by each committee of the Senate in 1993 and
16 thereafter for the first session of each Congress, shall in-
17 clude, and the report accompanying the funding resolution
18 reported by the Committee on House Administration with
19 respect to each committee of the House of Representatives
20 shall include, a statement of that committee, with respect
21 to each reexamination in its plan, of each of the following
22 matters:

23 (A) A description of the components of the
24 reexamination.

1 (B) A statement of whether the reexamination
2 is to be conducted (i) by the committee, or (ii) at the
3 request and under the direction of or under contract
4 with the committee, as the case may be, by one or
5 more instrumentalities of the legislative branch, one
6 or more instrumentalities of the executive branch, or
7 one or more nongovernmental organizations, or (iii)
8 by a combination of the foregoing.

9 (3) It shall not be in order to consider a funding reso-
10 lution with respect to a committee of the Senate or the
11 House of Representatives in 1993, and thereafter for the
12 first session of a Congress, unless—

13 (A) such resolution includes a section contain-
14 ing the information described in paragraph (1) and
15 the report accompanying such resolution contains
16 the information described in paragraph (2); and

17 (B) the report required by subsection (c) with
18 respect to each program reexamination scheduled for
19 completion during the preceding Congress by such
20 committee has been submitted for printing.

21 (4) It shall not be in order to consider an amendment
22 to the section of a funding resolution described in para-
23 graph (1) reported by a committee of the Senate for a
24 year, or reported by the Committee on House Administra-

1 tion with respect to a committee of the House of Rep-
2 resentatives for a year—

3 (A) if such amendment would require reexam-
4 ination of a program which has been reexamined by
5 such committee under this section during any of the
6 five preceding years;

7 (B) if such amendment would cause such sec-
8 tion not to contain the information described in
9 paragraph (1) with respect to each program to be
10 reexamined by such committee; or

11 (C) if notice of intention to propose such
12 amendment has not been given to such committee
13 and, in the case of an amendment in the Senate, to
14 the Committee on Rules and Administration of the
15 Senate, or, in the case of an amendment in the
16 House of Representatives, to the Committee on
17 House Administration, not later than January 20 of
18 the calendar year in which such year begins or the
19 first day of the session of the Congress in which
20 such year begins, whichever is later.

21 The notice required by subparagraph (C) shall include the
22 substance of the amendment intended to be proposed, and,
23 if such amendment would add one or more programs to
24 be reexamined, shall include the information described in
25 paragraphs (1) and (2) with respect to each such program.

1 Subparagraph (C) shall not apply to amendments pro-
2 posed by such committee or by the Committee on Rules
3 and Administration or House Administration, as the case
4 may be.

5 (b) CONSULTATION WITH OTHER COMMITTEES.—In
6 order to achieve coordination of program reexamination
7 each committee shall, in preparing each reexamination
8 plan required by subsection (a), consult with appropriate
9 committees of the Senate or appropriate committees of the
10 House of Representatives, as the case may be, and shall
11 inform itself of related activities of and support or assist-
12 ance that may be provided by (1) the General Accounting
13 Office, the Congressional Budget Office, the Congressional
14 Research Service, and the Office of Technology Assess-
15 ment, and (2) appropriate instrumentalities in the execu-
16 tive and judicial branches.

17 (c) COMMITTEE REPORTS.—Each committee shall
18 prepare and have printed a report with respect to each
19 reexamination completed under this title. Each such re-
20 port shall be delivered to the Secretary of the Senate or
21 the Clerk of the House of Representatives, as the case may
22 be, not later than the date specified in the resolution and
23 printed as a Senate or House document, accordingly. To
24 the extent permitted by law or regulation, such number
25 of additional copies as the committee may order shall be

1 printed for the use of the committee. If two or more com-
2 mittees have legislative jurisdiction over the same program
3 or portions of the same program, such committees may
4 reexamine such program jointly and submit a joint report
5 with respect to such reexamination.

6 (d) CONTENTS OF COMMITTEE REPORT.—The report
7 pursuant to subsection (c) shall set forth the findings, rec-
8 ommendations, and justifications with respect to the pro-
9 gram, and shall include to the extent the committee deems
10 appropriate, each of the following matters:

11 (1) An identification of the objectives intended
12 for the program and the problem it was intended to
13 address.

14 (2) An identification of any trends, develop-
15 ments, and emerging conditions which are likely to
16 affect the future nature and extent of the problems
17 or needs which the program is intended to address
18 and an assessment of the potential primary and sec-
19 ondary effects of the proposed program.

20 (3) An identification of any other program hav-
21 ing potentially conflicting or duplicative objectives.

22 (4) A statement of the number and types of
23 beneficiaries or persons served by the program.

24 (5) An assessment of the effectiveness of the
25 program and the degrees to which the original objec-

1 tives of the program or group of programs have been
2 achieved.

3 (6) An assessment of the cost effectiveness of
4 the program, including where appropriate, a cost-
5 benefit analysis of the operation of the program.

6 (7) An assessment of the relative merits of al-
7 ternative methods which could be considered to
8 achieve the purposes of the program.

9 (8) Information on the regulatory, privacy, and
10 paperwork impacts of the program.

11 (e) TITLE I SATISFIED.—A report submitted pursu-
12 ant to this section shall be deemed to satisfy the reauthor-
13 ization review requirements of title I.

14 **SEC. 303. EXECUTIVE REVIEW.**

15 Each department or agency of the executive branch
16 which is responsible for the administration of a program
17 selected for reexamination pursuant to this title shall, not
18 later than 6 months before the completion date specified
19 for reexamination reports pursuant to section
20 302(a)(1)(B), submit to the Office of Management and
21 Budget and to the appropriate committee or committees
22 of the Senate and the House of Representatives a report
23 of its findings, recommendations, and justifications with
24 respect to each of the matters set forth in section 302(d),
25 and the Office of Management and Budget shall submit

1 to such committee or committees such comments as it
2 deems appropriate.

3 **SEC. 304. DEFINITIONS.**

4 For the purposes of this title—

5 (1) the term “funding resolution” means, with
6 respect to each committee of the House of Rep-
7 resentatives, the primary funding resolution for such
8 committee which is effective for the duration of a
9 Congress; and

10 (2) an amendment to a funding resolution in-
11 cludes a resolution of the Senate which amends such
12 funding resolution.

13 **TITLE IV—MISCELLANEOUS**

14 **SEC. 401. AGENCY APPROPRIATIONS REQUESTS.**

15 Section 1108(e) of title 31, United States Code, is
16 amended by inserting before the period a comma and “or
17 at the request of a committee of either House of Congress
18 presented after the day on which the President transmits
19 the budget to the Congress under section 1105 of this title
20 for the fiscal year”.

21 **SEC. 402. NONDISCLOSURE.**

22 Nothing in this Act shall require the public disclosure
23 of matters that are specifically authorized under criteria
24 established by an Executive order to be kept secret in the
25 interest of national defense or foreign policy and are in

1 fact properly classified pursuant to such Executive order,
2 or which are otherwise specifically protected by law.

3 **SEC. 403. RULEMAKING.**

4 The provisions of this section and sections 101(a),
5 101(b), 101(c)(1), 101(c)(2), 101(c)(5), 102, 104(b),
6 104(c), 104(d), 104(e), 104(f), title III (except section
7 303), section 405, and section 406 of this Act are enacted
8 by the Congress—

9 (1) as an exercise of the rulemaking power of
10 the Senate and the House of Representatives respec-
11 tively, and as such they shall be considered as part
12 of the rules of each House, respectively, or of that
13 House to which they specifically apply, and such
14 rules shall supersede other rules only to the extent
15 that they are inconsistent therewith; and

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

21 **SEC. 404. EXECUTIVE ASSISTANCE AND REGULATORY DU-**
22 **PLICATION AND CONFLICTS REPORT.**

23 (a) EXECUTIVE ASSISTANCE.—(1) To assist in the
24 review or reexamination of a program, the head of an
25 agency which administers such program and the head of

1 any other agency, when requested, shall provide to each
2 committee of the Senate and the House of Representatives
3 which has legislative jurisdiction over such program such
4 studies, information, analyses, reports, and assistance as
5 the committee may request.

6 (2) Not later than 6 months before the first reauthor-
7 ization date specified for a program in section 101(b) the
8 head of the agency which administers such program or the
9 head of any other agency, when requested by a committee
10 of the Senate or the House of Representatives, shall con-
11 duct a review of those regulations currently promulgated
12 and in use by that agency which the committee specifically
13 has requested be reviewed and submit a report to the Sen-
14 ate or the House of Representatives as the case may be,
15 setting forth the regulations that agency intends to retain,
16 eliminate, or modify if the program is reauthorized and
17 stating the basis for its decision.

18 (3) On or before October 1 of the year preceding the
19 beginning of the Congress in which occurs the reauthoriza-
20 tion date for a program, the Comptroller General shall fur-
21 nish to each committee of the Senate and the House of
22 Representatives which has legislative jurisdiction over
23 such program a listing of the prior audits and reviews of
24 such program completed during the preceding 6 years.

1 (4) Consistent with the discharge of the duties and
2 functions imposed by law on them or their respective Of-
3 fices or Service, the Comptroller General, the Director of
4 the Congressional Budget Office, the Director of the Of-
5 fice of Technology Assessment, and the Director of the
6 Congressional Research Service shall furnish to each com-
7 mittee of the Senate and the House of Representatives
8 such information, analyses, and reports as the committee
9 may request to assist it in conducting reviews or evalua-
10 tions of programs.

11 (b) REGULATORY DUPLICATION AND CONFLICT RE-
12 PORT.—(1) On or before October 1 of the year preceding
13 the beginning of the Congress in which occurs the reau-
14 thorization date for a program, the President, with the
15 cooperation of the head of each appropriate agency, shall
16 submit to the Congress a “Regulatory Duplication and
17 Conflict Report” for all such programs scheduled for reau-
18 thorization in the next Congress.

19 (2) Each such regulatory duplication and conflicts re-
20 port shall—

21 (A) identify regulatory policies, including data
22 collection requirements, of such programs or the
23 agencies which administer them, which duplicate or
24 conflict with each other or with rules or regulations
25 or regulatory policies of other programs or agencies,

1 and identify the provisions of law which authorize or
2 require such duplicative or conflicting regulatory
3 policies or the promulgation of such duplicative or
4 conflicting rules or regulations;

5 (B) identify the regulatory policies, including
6 data collection requirements, of such programs
7 which are, or which tend to be, duplicative of or in
8 conflict with rules or regulations or regulatory poli-
9 cies of State or local governments; and

10 (C) contain recommendations which address the
11 conflicts or duplications identified in subparagraphs
12 (A) and (B).

13 (3) The regulatory duplication and conflicts report
14 submitted by the President pursuant to this subsection
15 shall be referred to the committee or committees of the
16 House of Representatives and the Senate with legislative
17 jurisdiction over the programs affected by the reports.

18 **SEC. 405. SUNSET REAUTHORIZATION BILL.**

19 (a) COMMITTEE INTRODUCTION.—Not later than 15
20 days after the beginning of the second regular session of
21 the Congress in which occurs the reauthorization date ap-
22 plicable to a program under section 101(b), the chairmen
23 of the committees of the Senate and the House of Rep-
24 resentatives having legislative jurisdiction over such pro-
25 grams shall introduce, in their respective Houses, a bill

1 which, if enacted into law, would constitute a required au-
2 thorization (as defined in section 101(c)(1)(B)), and such
3 a bill (hereafter in this section referred to as a “sunset
4 reauthorization bill”) shall be referred to the appropriate
5 committee of the Senate or the House of Representatives,
6 as the case may be. This subsection shall not apply in the
7 case of a program which has been reauthorized by a re-
8 quired authorization which was signed into law by the
9 President prior to 15 days after the beginning of the sec-
10 ond regular session of the Congress in which occurs the
11 reauthorization date applicable to such program.

12 (b) DISCHARGE FOR FAILURE TO CONSIDER.—If the
13 committee to which a sunset reauthorization bill for a pro-
14 gram has not reported such bill by May 15 of the year
15 in which the reauthorization date for such program occurs,
16 and no other bill which would constitute a required au-
17 thorization for such program has been enacted into law
18 by that date, it is in order to move to discharge the com-
19 mittee from further consideration of the sunset reauthor-
20 ization bill at any time thereafter.

21 (c) DISCHARGE PROCEDURES.—The provisions of
22 section 912(a) of title 5, United States Code, as it relates
23 to the discharge of resolutions of disapproval on reorga-
24 nization plans, shall apply to motions to discharge sunset
25 reauthorization bills, and the provisions of subsections

1 (b)(2), (c) (2) through (5), and (d) of section 1017 of the
 2 Impoundment Control Act of 1974, insofar as they relate
 3 to the consideration of rescission bills shall apply to the
 4 consideration of such sunset reauthorization bills, amend-
 5 ments thereto, motions and appeals with respect thereto,
 6 and conference reports thereon.

7 **SEC. 406. COMMITTEE JURISDICTION OVER ACT.**

8 The Committees on Governmental Affairs and on
 9 Rules and Administration of the Senate and the Commit-
 10 tees on Government Operations and on Rules of the House
 11 of Representatives shall review the operation of the proce-
 12 dures established by this Act, and shall submit a report
 13 not later than December 31, 1998, and each 5 years there-
 14 after, setting forth their findings and recommendations.
 15 Such reviews and reports may be conducted jointly.

16 **SEC. 407. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated for fiscal
 18 years ending before October 1, 2003, such sums as may
 19 be necessary to carry out the review requirement of titles
 20 I and III and the requirements for the compilation of the
 21 inventory of Federal programs as set forth in title II.

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