

104TH CONGRESS  
2D SESSION

# H. R. 3982

To establish a Permanent Performance Review Commission.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Mr. FRANKS of New Jersey (for himself, Mr. HERGER, Mr. HOKE, Mr. KASICH, Mr. KOLBE, Mr. MEEHAN, Mr. SMITH, of Michigan and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a Permanent Performance Review Commission.

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 “Permanent Perform-  
5 ance Review Act of 1996”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7        The Congress finds that—

8            (1) the central purpose of our democratic gov-  
9 ernment is to effectuate the will of a free people;

1 that, in its pursuit of that purpose, the Congress'  
2 principal purpose is to enact laws which properly  
3 embody that will and which ensure that agencies  
4 charged with the execution of those laws are vested  
5 with such authority and endowed with such re-  
6 sources as may be requisite therefor and useful  
7 thereto; that the corresponding principal function of  
8 the executive is to pursue the implementation of  
9 those laws through the exercise of the authority so  
10 accorded to it; and that beyond the duties peculiar  
11 to each, these two branches of government bear as  
12 well a joint and ongoing responsibility for ensuring  
13 that the implementation of public policy is conducted  
14 effectively and efficiently, that the executive's exer-  
15 cise of its authority advances the aims and respects  
16 the restrictions incorporated in the law under which  
17 the authority was conferred, that both the regulation  
18 of private behavior and the expenditure of public  
19 moneys continue to be justified by actual benefits  
20 flowing therefrom, that the unintended harms or in-  
21 equities arising from the operation of laws enacted  
22 and implemented in good faith are promptly uncov-  
23 ered and remedied, and that government maintains  
24 in its conduct of the affairs of the people the high

1 standards which it is morally and legally obligated to  
2 observe as their steward and trustee.

3 (2) The Congress finds that, to meet the re-  
4 sponsibilities of government hereinabove declared, it  
5 is necessary and appropriate that the performance of  
6 government be reviewed and evaluated, and that the  
7 scope of the review and evaluation should extend as  
8 broadly as is practicable to the various organiza-  
9 tional, program and budgetary elements of all public  
10 service activities directly or indirectly funded in  
11 whole or in part by the government. The Congress  
12 finds in addition that the review and evaluation of  
13 executive branch performance ought properly to be  
14 undertaken jointly by the Congress and the executive  
15 and with the assistance, where appropriate, of par-  
16 ties outside of the national government; that the  
17 Congress' participation in the review and evaluation  
18 process can be most effectively conducted by a bipar-  
19 tisan commission which shall, for each review and  
20 evaluation of a particular agency, draw upon mem-  
21 bers having substantial knowledge for the missions  
22 and objectives of that agency; and that the commis-  
23 sion should have available for its use and exercise all  
24 resources and powers appropriate to the duties with  
25 which it is charged. Furthermore, the Congress finds

1 that such a commission would also be the most suit-  
2 able instrument through which to conduct the review  
3 and evaluation of agency operations.

4 **SEC. 3. DEFINITIONS.**

5 For purposes of this Act:

6 (1) AGENCY.—The term “agency” means a cab-  
7 inet-level department listed in section 101 of title 5,  
8 United States Code, or any executive agency, as de-  
9 fined in section 105 of such title 5, whose budget ex-  
10 ceeded \$1,000,000,000 in fiscal year 1993.

11 (2) AGENCY SELF-STUDY.—The term “agency  
12 self-study” means the initial collection, analysis, and  
13 report of performance data developed by each agency  
14 at the direction of the Commission. An agency self-  
15 study is the basis for the subsequent analysis and  
16 recommendations embodied in the Commission’s per-  
17 formance review.

18 (3) COMMISSION.—The term “Commission”  
19 means the Permanent Performance Review Commis-  
20 sion established by section 4.

21 (4) IMPLEMENTATION BILL.—The term “imple-  
22 mentation bill” means a bill introduced pursuant to  
23 a recommendation from a committee that receives a  
24 performance review from the Commission and holds  
25 hearings regarding the performance review.

1           (5) PERFORMANCE GOAL.—The term “perform-  
2           ance goal” means a target level of performance ex-  
3           pressed as a tangible, measurable objective against  
4           which actual achievement shall be compared, includ-  
5           ing a goal expressed as a quantitative standard,  
6           value, or rate.

7           (6) PERFORMANCE INDICATOR.—The term  
8           “performance indicator” refers to a particular value  
9           or characteristic used to measure, in either a quali-  
10          tative or quantitative form, the results of a program  
11          activity and how they compare to the program’s in-  
12          tended results or performance goals.

13          (7) PERFORMANCE REVIEW.—The term “per-  
14          formance review” refers to the Commission’s de-  
15          scription and analysis of an agency’s programs  
16          based on the programs’ performance goals and rel-  
17          evant performance indicators, accompanied by a line-  
18          by-line set of legislative recommendations developed  
19          by the Commission, reviewed by the appropriate  
20          Congressional committees, and then, if approved,  
21          submitted in bill form by the chairpersons of the ap-  
22          propriate Congressional committees.

23          (8) PROGRAM ACTIVITY.—The term “program  
24          activity” means a specific activity or project as listed

1 in the program and financing schedules of the an-  
2 nual budget of the United States Government.

3 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

4 There is established a commission to be known as the  
5 “Permanent Performance Review Commission”.

6 **SEC. 5. FUNCTIONS OF COMMISSION.**

7 (a) IN GENERAL.—The Commission shall—

8 (1) establish and manage a schedule of agency  
9 self-studies to be conducted by the agencies of the  
10 United States over a fixed period of time;

11 (2) hold hearings as part of an overall assess-  
12 ment and transformation of the data presented in an  
13 agency’s self-study into a performance review to be  
14 developed by the Commission;

15 (3) submit the performance review and legisla-  
16 tive recommendations to the President and the Con-  
17 gress; and

18 (4) make the performance review and legislative  
19 recommendations available to the public.

20 (b) SPECIFIC DUTIES.—In carrying out its functions  
21 under subsection (a), the Commission shall—

22 (1) ensure that each agency is reviewed at least  
23 once every 10 years;

24 (2) by vote of the majority of the Commission  
25 on or before February 5 of each year, establish a

1 schedule of the agencies that will be reviewed and  
2 the order of review for the next 2 years;

3 (3) notify, in writing, each agency listed on the  
4 schedule of its responsibility for conducting an agen-  
5 cy self-study and the dates on which it must submit  
6 progress reports and the final agency self-study re-  
7 port;

8 (4) hold hearings on the agency self-study re-  
9 port submitted by each agency;

10 (5) consult the chairpersons and the ranking  
11 minority members of the appropriate congressional  
12 committees regarding the agency self-study report  
13 submitted by each agency; and

14 (6) submit a performance review and legislative  
15 recommendations to the President and the Congress  
16 not more than 21 months after receiving an agency  
17 self-study report from an agency.

18 **SEC. 6. MEMBERSHIP OF COMMISSION.**

19 (a) NUMBER AND METHOD OF APPOINTMENT.—The  
20 Commission shall be composed of 28 members, of which  
21 23 will be voting members and 5 will be nonvoting, ex  
22 officio members. The members shall be appointed as fol-  
23 lows:

24 (1) VOTING MEMBERS.—All appointments of  
25 voting members of the Commission shall be made

1 jointly by the majority and minority leaders of the  
2 Senate and the Speaker and minority leader of the  
3 House of Representatives from individuals rec-  
4 ommended as follows:

5 (A) RECOMMENDATIONS BY PRESIDENT.—

6 15 voting members shall be appointed from  
7 among individuals recommended by the Presi-  
8 dent. In making the recommendations, the  
9 President shall ensure that not more than 8  
10 members are affiliated with the same political  
11 party.

12 (B) RECOMMENDATIONS BY CONGRESS.—8

13 additional voting members shall be appointed,  
14 with 2 members each appointed from individ-  
15 uals recommended by each of the following:

16 (i) Majority leader of the Senate.

17 (ii) Minority leader of the Senate.

18 (iii) Speaker of the House.

19 (iv) Minority leader of the House.

20 (2) NONVOTING, EX OFFICIO MEMBERS.—The

21 nonvoting, ex officio members of the Commission are  
22 the following:

23 (A) Director of the Office of Management  
24 and Budget.

25 (B) Majority leader of the Senate.

1 (C) Minority leader of the Senate.

2 (D) Speaker of the House.

3 (E) Minority leader of the House.

4 (b) QUALIFICATIONS OF VOTING MEMBERS.—

5 (1) OFFICERS AND EMPLOYEES OF THE EXECU-  
6 TIVE BRANCH.—An officer or employee of the execu-  
7 tive branch of the Federal Government may not be  
8 a voting member of the Commission.

9 (2) EXPERIENCE.—The President shall rec-  
10 ommend for appointment to the commission individ-  
11 uals with a variety of experiences and skills. Of the  
12 individuals recommended under subsection  
13 (a)(1)(A)—

14 (A) at least 1 shall be a person with ex-  
15 plicit, in-depth experience in reforming large or-  
16 ganizational systems;

17 (B) at least 1 shall be a person who both  
18 has business experience and has held a high-  
19 level position within an agency; and

20 (C) at least 1 shall be an individual who  
21 has an extensive research background concern-  
22 ing organizational reform, either in theoretical  
23 work or in analysis of real world events.

24 (c) TERMS.—

1           (1) IN GENERAL.—Each member of the Com-  
2 mission shall be appointed for a term of 2 years, ex-  
3 cept as provided in paragraphs (2) and (3).

4           (2) TERMS OF INITIAL APPOINTEES.—The  
5 members initially appointed to the Commission shall  
6 serve until the beginning of the next Congress.

7           (3) VACANCIES.—A vacancy on the Commission  
8 shall be filled in the manner in which the original  
9 appointment was made. Any member of the Commis-  
10 sion appointed to fill a vacancy shall be appointed  
11 only for the remainder of the term for which the  
12 member's predecessor was appointed. A member  
13 may serve after the expiration of the member's term  
14 until a successor has taken office.

15 (d) PAY.—

16           (1) IN GENERAL.—Each member of the Com-  
17 mission shall be paid at a rate equal to the daily  
18 equivalent of the minimum annual rate of basic pay  
19 payable for level IV of the Executive Schedule under  
20 section 5315 of title 5, United States Code, for each  
21 day during which the member is engaged in the ac-  
22 tual performance of duties of the Commission.

23           (2) EXCEPTION FOR GOVERNMENT OFFICERS  
24 AND EMPLOYEES.—Members of the Commission who  
25 are full-time officers or employees of the United

1 States shall receive no additional pay or compensa-  
2 tion for their service on the Commission.

3 (e) CHAIRPERSON.—The President shall designate 1  
4 member of the Commission to be the chairperson of the  
5 Commission.

6 (f) APPOINTMENT DEADLINE.—All initial appointees  
7 shall be appointed under this section within 60 days after  
8 the date of the enactment of this Act.

9 **SEC. 7. DIRECTOR AND STAFF OF COMMISSION.**

10 (a) DIRECTOR.—The Commission shall appoint a Di-  
11 rector. The Director shall be paid at a rate not to exceed  
12 the rate of basic pay payable for level IV of the Executive  
13 Schedule under section 5315 of title 5, United States  
14 Code.

15 (b) STAFF.—

16 (1) APPOINTMENT.—The Director, with the ap-  
17 proval of the Commission, may appoint and fix the  
18 pay of additional personnel.

19 (2) ASSIGNMENT.—Upon request of the Direc-  
20 tor, the head of any agency may assign any of the  
21 personnel of the agency to the Commission to assist  
22 in carrying out the Commission's review of the agen-  
23 cy. Any employee of the Federal Government may be  
24 assigned under this paragraph without reimburse-

1 ment to the assigning agency and without interrup-  
2 tion or loss of civil service status or privilege.

3 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE  
4 LAWS.—The staff of the Commission may be appointed  
5 without regard to the provisions of title 5, United States  
6 Code, governing appointments in the competitive service  
7 and may be paid without regard to the provisions of chap-  
8 ter 51 and subchapter III of chapter 53 of title 5, United  
9 States Code, relating to classification and General Sched-  
10 ule pay rates, except that an individual so appointed may  
11 not receive pay in excess of 120 percent of the minimum  
12 rate of basic pay payable for GS–15 of the General Sched-  
13 ule.

14 (d) EXPERTS AND CONSULTANTS.—With the ap-  
15 proval of the Commission, the Director may procure by  
16 contract, to the extent funds are available, the temporary  
17 or intermittent services of experts or consultants pursuant  
18 to section 3109 of title 5, United States Code.

19 **SEC. 8. POWERS OF COMMISSION.**

20 (a) HEARINGS AND SESSIONS.—To carry out this  
21 Act, the Commission may hold hearings, sit and act at  
22 times and places, take testimony, and receive evidence as  
23 the Commission considers appropriate. The Commission  
24 may also administer oaths or affirmations to witnesses ap-  
25 pearing before it.

1 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-  
2 ber or agent of the Commission may, if authorized by the  
3 Commission, take any action that the Commission is au-  
4 thorized to take.

5 (c) OBTAINING OFFICIAL DATA.—The Commission  
6 may secure additional information necessary for it to carry  
7 out this Act from the head of any agency. Upon request  
8 of the chairperson of the Commission, the head of an  
9 agency shall furnish the requested information within 30  
10 days after the request or within the time specified by the  
11 chairperson of the Commission.

12 (d) MAILS.—The Commission may use the United  
13 States mails in the same manner and under the same con-  
14 ditions as other agencies.

15 (e) AUTHORITY TO ENTER INTO CONTRACTS.—The  
16 Commission may lease space to the extent that funds are  
17 available.

18 **SEC. 9. DUTIES OF AGENCIES SUBJECT TO PERFORMANCE**

19 **REVIEW.**

20 (a) IN GENERAL.—An agency notified by the Com-  
21 mission that it is on the performance review schedule  
22 shall—

23 (1) conduct an agency self-study beginning 90  
24 days before the agency self-study report is due and

1 write an agency self-study report meeting the cri-  
2 teria established in subsection (c);

3 (2) submit a progress report to the Commission  
4 60 days before the agency self-study report is due;

5 (3) submit a 2d progress report to the Commis-  
6 sion 30 days before the agency self-study report is  
7 due; and

8 (4) submit the agency self-study report to the  
9 Commission on the date scheduled by the Commis-  
10 sion.

11 (b) PROGRESS REPORTS.—Each progress report shall  
12 present in detail the full range of programs being reviewed  
13 and the status of each review.

14 (c) AGENCY SELF-STUDY REPORT.—Each agency  
15 self-study report shall include the following:

16 (1) MISSION STATEMENT.—A comprehensive  
17 mission statement covering the functions and oper-  
18 ations of the agency and all its subdivisions.

19 (2) CENSUS.—A complete census of all the sep-  
20 arate programs, with the name and a full description  
21 of the current organizational subdivision that has re-  
22 sponsibility for the conduct and administration of  
23 each program.

24 (3) STATUTORY REFERENCES.—A citation to  
25 the statute that establishes or authorizes the estab-

1        lishment of each program, a statement of the objec-  
2        tives of the program as prescribed by statute or ad-  
3        ministrative order, and for each of the objectives, a  
4        detailed statement of the way in which each program  
5        activity contributes to the attainment or furtherance  
6        of the objectives.

7            (4) BUDGETS.—A review of the budgets for  
8        each program for each of the preceding 5 years.

9            (5) PERSONNEL LEVELS.—A statement of the  
10       personnel levels associated with each program for  
11       the previous fiscal year, the preceding 4 fiscal years,  
12       and the 10th and 15th fiscal years preceding the  
13       most recent fiscal year.

14           (6) PRIORITY OF PROGRAMS.—A comparative  
15       assessment that establishes a priority order for each  
16       program in the overall institutional mission of the  
17       agency.

18           (7) PERFORMANCE GOALS.—A statement of the  
19       specific performance goals that are used to define  
20       the levels of performance achieved by the particular  
21       activities of each program. When possible the goals  
22       shall be measured in quantifiable forms and applica-  
23       ble across program activities.

1           (8) PERFORMANCE LEVEL.—A comparison of  
2 each performance goal with the actual level of per-  
3 formance measured using a performance indicator.

4           (9) CUSTOMER SATISFACTION.—An analysis of  
5 how effectively each program met the expectations  
6 and needs of its customers, with special attention to  
7 the handling of complaints and suggestions for im-  
8 provements as well as an explicit discussion of the  
9 sources for such an analysis.

10          (10) RESULTS AND ACCOMPLISHMENTS.—A full  
11 statement of the results and accomplishments of  
12 each program, described in terms relating as closely  
13 as possible to the purpose of the program as em-  
14 bodied in the enabling legislation as well as to the  
15 performance indicators currently used by the pro-  
16 gram.

17          (11) VERIFICATION AND VALIDATION.—An ex-  
18 plicit review of the means used by each agency to  
19 verify and validate all of the above measured values,  
20 as well as a description of the current annual evalua-  
21 tions in place used to update and reformulate pro-  
22 gram goals and operations.

23          (12) COST EFFECTIVENESS.—An assessment of  
24 the cost effectiveness of each program activity, in-

1 including, when possible, a quantifiable cost-benefit  
2 analysis.

3 (13) PAPERWORK AND PROCEDURAL REQUIRE-  
4 MENTS.—A review of the paperwork and procedural  
5 requirements of each program and the costs associ-  
6 ated with the requirements.

7 (14) CONTRACTS AND PROCUREMENT.—A re-  
8 view of each program's contracts and procurement  
9 histories.

10 (15) FEDERAL GRANTS TO STATE AND LOCAL  
11 GOVERNMENTS.—A review of Federal grants to  
12 State or local governments in any program over the  
13 preceding 5 years, and an analysis of the explicit cri-  
14 teria for awarding the grants, with the goal of iden-  
15 tifying any criteria that are performance based.

16 (16) FINANCIAL AND INFORMATION SYS-  
17 TEMS.—A review and analysis of the agencywide fi-  
18 nancial and information systems and the extent to  
19 which the introduction of new, more efficient forms  
20 of financial- and information-systems management  
21 could contribute significantly to better service.

22 (17) EMPLOYEE INVOLVEMENT.—A review of  
23 the effect of current managerial practices intended  
24 to involve employees more effectively in assessing

1 and reformulating the goals and procedures of each  
2 program activity.

3 (18) TRAINING.—A survey of all training pro-  
4 grams for managers and other employees, and an  
5 analysis of their effectiveness.

6 (19) RESPONSE TO FEDERAL FUNDING LEV-  
7 ELS.—A statement setting forth in detail all reason-  
8 able actions, whether in conjunction with or as alter-  
9 natives to other actions, that the agency would take  
10 in response to the fixing of the total amount of Fed-  
11 eral funds available during the upcoming fiscal year  
12 for all program activities, including, when appro-  
13 priate, actions requiring the enactment, amendment,  
14 or repeal of a statute. The statement shall include—

15 (A) actions the agency would take if the  
16 funds available were fixed at—

17 (i) an amount equal to 90 percent of  
18 the amount of funds available during the  
19 fiscal year ending on the September 30  
20 preceding submission of the agency self-  
21 study;

22 (ii) an amount equal to 95 percent of  
23 the amount of funds available during the  
24 fiscal year ending on the June 30 preced-  
25 ing submission of the agency self-study;

1 (iii) an amount equal to the same  
2 amount of funds available during the fiscal  
3 year ending on the preceding September  
4 30;

5 (iv) an amount equal to 105 percent  
6 of the amount of funds available during  
7 the fiscal year ending on the preceding  
8 September 30; or

9 (v) an amount equal to 110 percent of  
10 the amount of funds available during the  
11 fiscal year ending on the preceding Sep-  
12 tember 30; and

13 (B) an assessment of the effect that taking  
14 each action could be expected to have on—

15 (i) the mission and operations of the  
16 agency as a whole;

17 (ii) the activities and accomplishments  
18 of each program for which any of its orga-  
19 nizational subdivisions is responsible; and

20 (iii) the health, safety, and welfare of  
21 the citizens of the country.

22 **SEC. 10. PERFORMANCE REVIEW BY COMMISSION.**

23 (a) **EVALUATION OF DATA BY COMMISSION.**—The  
24 performance review shall include an evaluation of the data  
25 contained in an agency self-study report and presented at

1 the hearings held by the Commission, including an assess-  
2 ment of—

3 (1) the effectiveness of the agency in perform-  
4 ing the responsibilities assigned by law;

5 (2) the operational efficiency of the agency in  
6 performing its responsibilities;

7 (3) the effect of the policies and programs of  
8 the agency upon the economy and the environment  
9 of the country, and upon the health, safety, and wel-  
10 fare of the people of the United States;

11 (4) the accessibility and responsiveness of the  
12 agency as demonstrated in each of its programs, in-  
13 cluding the way in which the agency has handled  
14 complaints, suggestions, and requests for informa-  
15 tion or assistance;

16 (5) the conduct of internal functions, such as  
17 planning, information and records management, and  
18 overall resource controls; and

19 (6) the existence of other programs within the  
20 agency, in another agency, or at another level of  
21 government with objectives or operations that dupli-  
22 cate or are in conflict with the objectives or oper-  
23 ations of any program in the agency under review.

1 (b) DEVELOPMENT OF RECOMMENDATIONS.—In de-  
2 veloping the recommendations required by section 5(b)(6)  
3 regarding an agency, the Commission shall consider—

4 (1) the extent to which the statutory mandates  
5 of each program are currently being served;

6 (2) the adequacy of the agency’s performance;

7 (3) whether a reduction in the scope or degree  
8 of the agency’s regulations would endanger the goals  
9 of each program; and

10 (4) whether specific regulations governing the  
11 management of any program can be rewritten.

12 (c) REPORTING THE PERFORMANCE REVIEW.—The  
13 Commission will deliver its performance review to the  
14 Speaker of the House of Representatives not later than  
15 21 months after receiving an agency self-study report from  
16 an agency.

17 **SEC. 11. CONGRESSIONAL ACTION ON PERFORMANCE RE-**  
18 **VIEW.**

19 (a) PROCEDURES IN HOUSE OF REPRESENTA-  
20 TIVES.—

21 (1) REFERRAL OF REPORT.—After the House  
22 of Representatives receives a performance review  
23 from the Commission, the Speaker shall refer it to  
24 only 1 standing committee of the House. To the ex-  
25 tent possible, the Speaker shall rely on the rules of

1 the House of Representatives to determine the ap-  
2 propriate committee to receive the performance re-  
3 view.

4 (2) PUBLIC HEARINGS ON PERFORMANCE RE-  
5 VIEWS.—During the 30-legislative-day period after  
6 the referral of a performance review to a committee  
7 under paragraph (1), the committee shall hold public  
8 hearings for the purpose of receiving comments on  
9 the performance review and the recommendations.  
10 After the hearings, the chairperson of the committee  
11 shall submit to the House an implementation bill  
12 with an accompanying report that comments on all  
13 the recommendations made by the Commission and  
14 sets forth the reasons why certain recommendations  
15 are not legislatively addressed.

16 (3) DISCHARGE OF COMMITTEE.—If a commit-  
17 tee receiving an implementation bill under paragraph  
18 (1) has not reported the bill by the end of the 15  
19 calendar days after the date on which the bill was  
20 introduced, the committee shall be discharged from  
21 further consideration of the bill and the bill shall be  
22 placed on the appropriate calendar of the House.

23 (4) FLOOR CONSIDERATION.—

24 (A) MOTION TO PROCEED TO CONSIDER-  
25 ATION.—On or after the 4th day after the date

1 on which the committee reports an implementa-  
2 tion bill or is discharged under paragraph (3),  
3 any Member of the House may announce to the  
4 House the Member's intention to move to pro-  
5 ceed to the consideration of the implementation  
6 bill. The following day, it shall be in order for  
7 the Member to move to proceed to the consider-  
8 ation of the bill, even if a previous motion is  
9 disagreed to. The motion shall be highly privi-  
10 leged and shall not be subject to amendment, to  
11 a motion to postpone, or to a motion to proceed  
12 to the consideration of other business. A motion  
13 to reconsider the vote by which the motion is  
14 agreed to or disagreed to shall not be in order.  
15 If a motion to proceed to consideration of the  
16 bill is agreed to, the House shall immediately  
17 proceed to consideration of the bill without an  
18 intervening motion, order, or other business,  
19 and the bill shall remain the unfinished busi-  
20 ness of the House until disposed of.

21 (B) POINTS OF ORDER.—All points of  
22 order against an implementation bill and  
23 against consideration of the bill shall be consid-  
24 ered to be waived.

1           (C) DEBATE.—Debate on an implementa-  
2           tion bill, and on all debatable motions and ap-  
3           peals in connection with the bill, shall be limited  
4           to not more than 10 hours, which shall be di-  
5           vided equally between the chairperson and the  
6           ranking minority member of the committee that  
7           considered the bill or their designees. A motion  
8           further to limit debate shall be in order and  
9           shall not be debatable. The following shall not  
10          be in order:

11                   (i) An amendment to the bill.

12                   (ii) A motion to postpone.

13                   (iii) A motion to proceed to the con-  
14                   sideration of other business.

15                   (iv) A motion to recommit the bill.

16                   (v) A motion to reconsider the vote by  
17                   which the bill is agreed to or disagreed to.

18          (D) FINAL PASSAGE.—Immediately follow-  
19          ing the conclusion of the debate on an imple-  
20          mentation bill and a single quorum call at the  
21          conclusion of the debate, if requested in accord-  
22          ance with the rules of the House, the vote on  
23          final passage of the implementation bill shall  
24          occur.

1           (E) APPEALS FROM CHAIR.—Appeals from  
2           the decisions of the Chair relating to the appli-  
3           cation of the rules of the House to the proce-  
4           dure relating to an implementation bill shall be  
5           decided without debate.

6           (5) CONSIDERATION OF SENATE BILL.—If the  
7           House receives an implementation bill regarding an  
8           agency from the Senate before it passes its own im-  
9           plementation bill regarding the same agency, then  
10          the following procedures apply:

11           (A) REFERRAL.—The implementation bill  
12           from the Senate shall not be referred to a com-  
13           mittee.

14           (B) FLOOR CONSIDERATION.—The proce-  
15           dure in the House shall be the same as if no  
16           implementation bill had been received from the  
17           Senate, except that the vote on final passage  
18           shall be on the implementation bill received  
19           from the Senate.

20           (C) FINAL DISPOSITION.—Upon disposi-  
21           tion of the implementation bill received from  
22           the Senate, it shall no longer be in order to con-  
23           sider the implementation bill that originated in  
24           the House.

1 (b) EXERCISE OF RULEMAKING POWER.—This sec-  
2 tion is promulgated—

3 (1) as an exercise of the rulemaking power of  
4 the House of Representatives, and as such, it is  
5 deemed a part of the rules of the House, except that  
6 this section supersedes other rules of the House only  
7 to the extent that it is inconsistent with such other  
8 rules; and

9 (2) with full recognition of the constitutional  
10 right of the House to change the rules at any time,  
11 in the same manner, and to the same extent as in  
12 the case of any other rule of the House.

13 **SEC. 12. DURATION OF COMMISSION.**

14 Section 14(a)(2)(B) of the Federal Advisory Commit-  
15 tee Act (5 U.S.C. App.), relating to the termination of  
16 advisory committees, shall not apply to the Commission.

17 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

18 There is authorized to be appropriated to the Com-  
19 mission to carry out its duties under this Act \$1,000,000  
20 for each fiscal year.

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