

AMENDMENT TO H.R. 981
OFFERED BY MR. FROST

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commission on Fed-
3 eral Budget Concepts Act of 2001”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress finds that—

6 (1) President Lyndon Johnson created the
7 Commission on Federal Budget Concepts in 1967 by
8 executive order to assess the basic budget concepts
9 that underlie the Federal budget process;

10 (2) the Commission’s report provided a common
11 framework for the development, presentation, and
12 execution of the Federal budget for the ensuing dec-
13 ades;

14 (3) since the release of that report, the Federal
15 Government has experienced major changes in the
16 scope of its financial commitments, the nature of its
17 various budget transactions, the role of Congress in
18 budget decisions, and the imposition of special con-
19 trols over spending and revenue; and

1 (4) in view of these changes, a new Commission
2 on Federal Budget Concepts should be created to as-
3 sess the present state of budget concepts and forge
4 a bipartisan consensus for necessary changes.

5 (b) PURPOSE.—The purpose of this Act is to estab-
6 lish the Commission on Federal Budget Concepts to re-
7 view, evaluate, and make recommendations respecting the
8 budget concepts that underlie the Federal budget and the
9 Federal budget process and to assess the feasibility of
10 changing from an annual to a biennial budget cycle.

11 **SEC. 3. ESTABLISHMENT OF COMMISSION ON FEDERAL**
12 **BUDGET CONCEPTS.**

13 There is established a commission to be known as the
14 Commission on Federal Budget Concepts (hereinafter re-
15 ferred to as the “Commission”).

16 **SEC. 4. POWERS AND DUTIES OF COMMISSION.**

17 (a) DUTIES OF THE COMMISSION.—

18 (1) The duties of the Commission shall
19 include—

20 (A) an identification of activities, entities,
21 and transactions to be included in the Federal
22 budget and the criteria for making such deter-
23 minations;

1 (B) an assessment of the appropriate
2 measures of Federal financial commitments to
3 allocate resources and establish fiscal policy;

4 (C) an evaluation of the differences be-
5 tween user fees and revenue, and between var-
6 ious forms of user fees, and the circumstances
7 when such fees should be accounted for as off-
8 setting spending or adding to revenue;

9 (D) an appraisal of the appropriate usage
10 of cash and accrual-based measures for various
11 types of Federal financial commitments, such
12 as Government insurance, loan guarantees, and
13 leasing;

14 (E) recommendations of the appropriate
15 means for recognizing the cost of acquisition
16 and disposition of various types of nonfinancial
17 assets;

18 (F) an evaluation of appropriate measures
19 of Federal debt, borrowing, and means of fi-
20 nancing;

21 (G) an assessment of the adequacy of the
22 current account and fund structure for record-
23 ing revenue and expenditures for specific classes
24 of governmental activities;

1 (H) recommendations for changes in Fed-
2 eral budget practices to accommodate the Fed-
3 eral Accounting Standards Advisory Board's
4 recommended accounting standards;

5 (I) recommendations for changes in budget
6 practices to reflect the Federal Government's
7 multi-year acquisitions;

8 (J) the appropriate means of accounting
9 for the financial risk the Federal Government
10 incurs from contractual and implied commit-
11 ments; and

12 (K) an assessment of the value and feasi-
13 bility of changing the Federal budget cycle from
14 annual to biennial.

15 (2) EXCEPTIONS.—Notwithstanding paragraph
16 (1), the Commission shall make no findings, conclu-
17 sions, or recommendations respecting the following:

18 (A) Social security and medicare.

19 (B) Budget estimates and projections that
20 assume that selected tax policies will increase
21 gross domestic product and thereby cause an
22 indirect increase in revenue, or that assume
23 that increased spending for human resources or
24 capital development will cause an indirect re-
25 duction in spending for other programs.

1 (C) Government-sponsored enterprises.

2 (b) POWERS OF THE COMMISSION.—

3 (1) CONDUCT OF BUSINESS.—The Commission
4 may hold hearings, take testimony, receive evidence,
5 and undertake such other activities necessary to
6 carry out its duties.

7 (2) ACCESS TO INFORMATION.—The Commis-
8 sion may secure directly from any department of
9 agency of the United States information necessary
10 to carry out its duties. Upon request of the Chair of
11 the Commission, the head of that department or
12 agency shall furnish that information to the Com-
13 mission.

14 (3) POSTAL SERVICE.—The Commission may
15 use the United States mails in the same manner and
16 under the same conditions as other departments and
17 agencies of the United States.

18 **SEC. 5. MEMBERSHIP.**

19 (a) MEMBERSHIP.—The Commission shall be com-
20 posed of 14 voting members and 2 nonvoting members,
21 as follows:

22 (1) Three members appointed by the chairman
23 of the Committee on the Budget of the Senate.

1 (2) Three members appointed by the chairman
2 of the Committee on the Budget of the House of
3 Representatives.

4 (3) Three members appointed by the ranking
5 member of the Committee on the Budget of the Sen-
6 ate.

7 (4) Three members appointed by the ranking
8 member of the Committee on the Budget of the
9 House of Representatives.

10 (5) The Director of the Office of Management
11 and Budget (or his designee).

12 (6) The Secretary of the Treasury (or his des-
13 ignee).

14 (7) The Comptroller General of the United
15 States (or his designee) and the Director of the Con-
16 gressional Budget Office (or his designee), who shall
17 be nonvoting members.

18 (b) QUALIFICATIONS AND TERM.—

19 (1) QUALIFICATIONS.—Members appointed to
20 the Commission pursuant to subsection (a) shall—

21 (A) have expertise and experience in the
22 fields or disciplines related to the subject areas
23 to be considered by the Commission; and

24 (B) not be Members of Congress.

1 (2) TERM OF APPOINTMENT.—The term of an
2 appointment to the Commission shall be for the life
3 of the Commission.

4 (3) CHAIR AND VICE CHAIR.—The member of
5 the Commission serving under subsection (a)(5)
6 shall be the Chair of the Commission. A Vice Chair
7 may be elected from among the voting members of
8 the Commission and shall assume the duties of the
9 Chair in the Chair's absence.

10 (c) MEETINGS; QUORUM; AND VACANCIES.—

11 (1) MEETINGS.—The Commission shall meet at
12 least once a month on a day to be decided by the
13 Commission. The Commission may meet at such
14 other times at the call of the Chair or of a majority
15 of its voting members. The meetings of the Commis-
16 sion shall be open to the public, unless by public
17 vote, the Commission shall determine to close a
18 meeting or any portion of a meeting to the public.

19 (2) QUORUM.—A majority of the voting mem-
20 bership shall constitute a quorum of the Commis-
21 sion, except that 3 or more voting members may
22 conduct hearings.

23 (3) VACANCIES.—A vacancy on the Commission
24 shall be filled in the same manner in which the origi-
25 nal appointment was filled under subsection (a).

1 (d) COMPENSATION AND EXPENSES.—Members of
2 the Commission shall serve without pay for their service
3 on the Commission, but may receive travel expenses, in-
4 cluding per diem in lieu of subsistence, at rates authorized
5 for employees of agencies under subchapter I of chapter
6 57 of title 5, United States Code.

7 **SEC. 6. STAFF AND SUPPORT SERVICES.**

8 (a) STAFF.—With the advance approval of the Com-
9 mission, the executive director may appoint such personnel
10 as is appropriate. The staff of the Commission shall be
11 appointed without regard to political affiliation and with-
12 out regard to the provisions of title 5, United States Code,
13 governing appointments in the competitive service, and
14 may be paid without regard to the provisions of chapter
15 51 and subchapter III of chapter 53 of such title relating
16 to classifications and General Schedule pay rates.

17 (b) EXECUTIVE DIRECTOR.—The Chairman shall ap-
18 point an executive director, who shall be paid the rate of
19 basic pay for level II of the Executive Schedule.

20 (c) EXPERTS AND CONSULTANTS.—With the advance
21 approval of the Commission, the executive director may
22 procure temporary and intermittent services under section
23 3109(b) of title 5, United States Code.

24 (d) TECHNICAL AND ADMINISTRATIVE ASSIST-
25 ANCE.—Upon the request of the Commission—

1 (1) the head of any agency, office, or establish-
2 ment within the executive or legislative branches of
3 the United States shall provide, without reimburse-
4 ment, such technical assistance as the Commission
5 determines is necessary to carry out its duties; and

6 (2) the Administrator of the General Services
7 Administration shall provide, on a reimbursable
8 basis, such administrative support services as the
9 Commission may require.

10 (e) **DETAIL OF FEDERAL PERSONNEL.**—Upon the
11 request of the Commission, the head of an agency, office,
12 or establishment in the executive or legislative branch of
13 the United States is authorized to detail, without reim-
14 bursement, any of the personnel of that agency, office, or
15 establishment to the Commission to assist the Commission
16 in carrying out its duties. Any such detail shall not inter-
17 rupt or otherwise affect the employment status or privi-
18 leges of that employee.

19 (f) **CBO.**—The Director of the Congressional Budget
20 Office shall provide the Commission with its latest re-
21 search on the accuracy of its past budget and economic
22 projections as compared to those of the Office of Manage-
23 ment and Budget and, if possible, those of private sector
24 forecasters. The Commission shall work with the Directors
25 of the Congressional Budget Office and the Office of Man-

1 agement and Budget in their efforts to explain the factors
2 affecting the accuracy of budget projections.

3 **SEC. 7. REPORT.**

4 Not later than November 15, 2002, the Commission
5 shall transmit a report to the President and to each House
6 of Congress. The report shall contain a detailed statement
7 of the findings and conclusions of the Commission, to-
8 gether with its recommendations for such legislative or ad-
9 ministrative actions as it considers appropriate. No find-
10 ing, conclusion, or recommendation may be made by the
11 Commission unless approved by a majority of those voting
12 (including in such majority at least two members serving
13 under paragraph (2), (3), (5), or (6) of section 5(a) and
14 at least two members serving under paragraph (1) or (4)
15 of such section), a quorum being present. At the request
16 of any Commission member, the report shall include that
17 member's dissenting findings, conclusions, or rec-
18 ommendations.

19 **SEC. 8. TERMINATION.**

20 The Commission shall terminate 30 days after the
21 date of transmission of the report required in section 7.

22 **SEC. 9. FUNDING.**

23 There are authorized to be appropriated not more
24 than \$1,000,000 to carry out this Act. Sums so appro-
25 priated shall remain available until expended.

Amend the title so as to read: “A Bill to establish the Commission on Federal Budget Concepts.”.