

118TH CONGRESS
1ST SESSION

H. R. 4435

To establish a budgetary level reduction schedule, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2023

Mrs. RODGERS of Washington introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committees on the Budget, and 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

A BILL

To establish a budgetary level reduction schedule, 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 “Unauthorized Spend-
5 ing Accountability Act”.

6 **SEC. 2. ESTABLISHMENT OF BUDGETARY LEVEL REDUC-**
7 **TION SCHEDULE.**

8 (a) IN GENERAL.—There is hereby established a re-
9 occurring three-year budgetary level reduction cycle with

1 respect to any unauthorized program, to begin in fiscal
2 year 2024, consistent with the requirements of this Act.

3 (b) DEFINITIONS.—In this Act:

4 (1) BUDGETARY LEVEL.—The term “budgetary
5 level” means the allocation made under section
6 302(a) of the Congressional Budget Act of 1974 (2
7 U.S.C. 633(a)) to the Committee on Appropriations
8 of the House of Representatives or the Senate in a
9 concurrent resolution on the budget for a fiscal year,
10 and includes any such allocation made pursuant to
11 a deeming resolution.

12 (2) EXPIRING FISCAL YEAR.—The term “expir-
13 ing fiscal year” means, with respect to an unauthor-
14 ized program, the fiscal year during which author-
15 izations of appropriations will expire for such pro-
16 gram.

17 (3) UNAUTHORIZED PROGRAM.—The term “un-
18 authorized program” means any program or activity
19 listed in the annual report published by the Congres-
20 sional Budget Office, entitled “Expired and Expiring
21 Authorizations of Appropriations”, or any successor
22 report, with respect to which authorizations of ap-
23 propriations will expire during the fiscal year in
24 which such report is published.

1 (c) APPLICATION TO PROGRAMS THAT EXPIRED BE-
2 FORE FISCAL YEAR 2024.—For purposes of applying this
3 Act to any unauthorized program funded during fiscal
4 year 2024 and for which authorizations of appropriations
5 expired before such fiscal year, such program shall be
6 deemed to be a program or activity listed in the report
7 referred to in subsection (b)(3) with respect to which au-
8 thorizations of appropriations will expire during fiscal year
9 2024.

10 **SEC. 3. REDUCTION IN BUDGETARY LEVEL FOR UNAU-**
11 **THORIZED PROGRAMS.**

12 (a) BUDGETARY LEVEL FOR FISCAL YEAR FOL-
13 LOWING EXPIRATION OF AUTHORIZATION.—With respect
14 to any unauthorized program, on the date that a budg-
15 etary level is established for the fiscal year immediately
16 following the expiring fiscal year, such level shall imme-
17 diately be reduced by an amount equal to 10 percent of
18 the funds appropriated for such program in the expiring
19 fiscal year.

20 (b) BUDGETARY LEVEL FOR SECOND AND THIRD
21 FISCAL YEARS FOLLOWING EXPIRATION OF AUTHORIZA-
22 TION.—With respect to any unauthorized program that re-
23 sults in a budgetary level reduction under subsection (a)
24 that remains an unauthorized program in the second or
25 third fiscal year following the expiring fiscal year, on the

1 date that a budgetary level is established for either such
2 second or third fiscal year, the budgetary level for either
3 such fiscal year shall be reduced by an amount equal to
4 15 percent of the funds appropriated for such program
5 in the expiring fiscal year.

6 (c) TRANSMITTAL OF NEW BUDGETARY LEVEL.—
7 Upon the reduction of a budgetary level (if any) under
8 subsection (a) or (b), the chair of the Committee on the
9 Budget of the House of Representatives and the Senate
10 shall submit the revised budgetary level to the chair of
11 the Committee on Appropriations of the House of Rep-
12 resentatives and the Senate, respectively.

13 **SEC. 4. TERMINATION OF UNAUTHORIZED PROGRAMS**
14 **AFTER THIRD UNAUTHORIZED YEAR.**

15 (a) IN GENERAL.—Any unauthorized program that
16 causes a budgetary level reduction under section 3(b) ap-
17 plicable to the third fiscal year following the expiring fiscal
18 year shall, effective immediately on October 1 of the fiscal
19 year immediately following such third fiscal year, be termi-
20 nated, except that any unobligated amounts available for
21 such program after the date of termination shall remain
22 available for recording, adjusting, and liquidating valid ob-
23 ligations of such program issued before such termination
24 date.

1 (b) OBLIGATION OF FUNDS PROHIBITED WITHOUT
2 REAUTHORIZATION.—No funds may be obligated for any
3 program terminated pursuant to subsection (a) in any fis-
4 cal year without an express reauthorization of the program
5 by Congress containing an authorization of appropriations
6 period not to exceed three years.

7 **SEC. 5. EXEMPTION FROM BUDGETARY LEVEL REDUCTION.**

8 (a) IN GENERAL.—Consistent with subsection (b)—

9 (1) any unauthorized program that causes a
10 budgetary level reduction applicable to a fiscal year
11 under section 3 that is expressly reauthorized during
12 the fiscal year in which such level is established shall
13 not be subject to the requirements of this Act; and

14 (2) upon the date of such reauthorization, any
15 such reduction shall be restored.

16 (b) LIMITATION.—Subsection (a) shall only apply if
17 the reauthorization contains a sunset provision applicable
18 to such program providing for an authorization of appro-
19 priations period of not more than three years.

○