

117TH CONGRESS
1ST SESSION

H. R. 974

To establish a national commission on fiscal responsibility and reform, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2021

Mr. CASE (for himself, Mr. WOMACK, Mr. PHILLIPS, and Mr. BURCHETT) introduced the following bill; which was referred to the Committee on the Budget, 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

A BILL

To establish a national commission on fiscal responsibility
and reform, 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 “Sustainable Budget
5 Act of 2021”.

6 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

7 (a) ESTABLISHMENT.—Not later than 30 days after
8 the date of the enactment of this Act, there shall be estab-

1 lished within the legislative branch a commission to be
2 known as the National Commission on Fiscal Responsi-
3 bility and Reform (referred to in this Act as the “Commis-
4 sion”).

5 (b) MEMBERSHIP.—

6 (1) COMPOSITION OF COMMISSION.—A Commis-
7 sion shall be composed of 18 members of whom—

8 (A) six members shall be appointed by the
9 President, of whom not more than 4 shall be
10 from the same political party;

11 (B) three members shall be appointed by
12 the majority leader of the Senate, from among
13 current Members of the Senate;

14 (C) three members shall be appointed by
15 the Speaker of the House of Representatives,
16 from among current Members of the House of
17 Representatives;

18 (D) three members shall be appointed by
19 the minority leader of the Senate, from among
20 current Members of the Senate; and

21 (E) three members shall be appointed by
22 the minority leader of the House of Representa-
23 tives, from among current Members of the
24 House of Representatives.

1 (2) INITIAL APPOINTMENTS.—Initial appoint-
2 ments to the Commission shall be made not later
3 than 60 days after the establishment of the Commis-
4 sion.

5 (3) VACANCY.—A vacancy on the Commission
6 shall be filled in the same manner as the initial ap-
7 pointment.

8 (c) CO-CHAIRPERSONS.—From among the members
9 appointed under paragraph (1), the President shall des-
10 ignate 2 members, who shall not be of the same political
11 party, to serve as Co-Chairpersons of the Commission.

12 (d) QUALIFICATIONS.—Members appointed to the
13 Commission shall have significant depth of experience and
14 responsibilities in matters relating to government service,
15 fiscal policy, economics, Federal agency management or
16 private sector management, public administration, and
17 law.

18 (e) DUTIES.—

19 (1) IN GENERAL.—The Commission shall iden-
20 tify policies to improve the fiscal situation in the me-
21 dium term and to achieve fiscal sustainability over
22 the long term.

23 (2) REQUIREMENTS.—In carrying out para-
24 graph (1), the Commission shall—

1 (A) propose recommendations designed to
2 balance the budget, excluding interest payments
3 on the debt, by the end of the 10-year period
4 beginning on the date on which the Commission
5 is established, in order to stabilize the debt-to-
6 GDP ratio at an acceptable level; and

7 (B) propose recommendations that mean-
8 ingfully improve the long-term fiscal outlook,
9 including changes to address the growth of enti-
10 tlement spending and the gap between the pro-
11 jected revenues and expenditures of the Federal
12 Government.

13 (f) REPORTS.—

14 (1) IN GENERAL.—

15 (A) FINAL REPORT.—Not later than 1
16 year after the date on which members are ap-
17 pointed to the Commission under subsection
18 (b), the Commission shall vote on the approval
19 of a final report containing the recommenda-
20 tions required under subsection (e).

21 (B) INTERIM REPORTS.—At any time after
22 the date on which members are appointed and
23 prior to voting on the approval of a final report
24 under subparagraph (A), the Commission may
25 vote on the approval of an interim report con-

1 taining such recommendations described in sub-
2 section (e) as the Commission may provide.

3 (2) APPROVAL OF REPORT.—The Commission
4 may only issue a report under this subsection if—

5 (A) the report is approved by not less than
6 12 members of the Commission; and

7 (B) of the members approving the report,
8 at least 4 are members of the same political
9 party to which the Speaker of the House of
10 Representatives belongs and at least 4 are
11 members of the same political party to which
12 the minority leader of the House of Representa-
13 tives belongs.

14 (3) SUBMISSION OF REPORT TO CONGRESS.—
15 Each report approved under this subsection shall be
16 submitted to Congress and made available to the
17 public.

18 (g) POWERS OF THE COMMISSION.—

19 (1) HEARINGS.—The Commission may hold
20 such hearings, sit and act at such times and places,
21 take such testimony, and receive such evidence as
22 the Commission considers advisable to carry out the
23 duties of the Commission described in subsection (e).

24 (2) INFORMATION FROM FEDERAL AGENCIES.—
25 The Commission may secure directly from any Fed-

1 eral agency such information as the Commission
2 considers necessary to carry out the duties of the
3 Commission described in subsection (e). Upon re-
4 quest from the Co-Chairpersons of the Commission,
5 the head of the Federal agency shall provide the in-
6 formation requested to the Commission.

7 (3) **POSTAL SERVICES.**—The Commission may
8 use the United States mail in the same manner and
9 under the same conditions as other departments and
10 agencies of the Federal Government.

11 (4) **WEBSITE.**—

12 (A) **CONTENTS.**—The Commission shall es-
13 tablish a website that shall contain—

14 (i) the recommendations required
15 under subsection (e); and

16 (ii) the records of attendance of the
17 members of the Commission for each meet-
18 ing of the Commission.

19 (B) **DATE OF PUBLICATION.**—The Com-
20 mission shall publish a recommendation or
21 record of attendance described under subpara-
22 graph (A) on the website established under
23 such subparagraph not later than 72 hours
24 after the conclusion of the meeting at which

1 such recommendation is made or at which such
2 record of attendance is taken.

3 (h) ASSISTANCE OF OTHER LEGISLATIVE BRANCH
4 ENTITIES.—

5 (1) GOVERNMENT ACCOUNTABILITY OFFICE.—

6 The Comptroller General shall provide technical as-
7 sistance to the Commission, as the Commission con-
8 ducts the work of the Commission, on the findings
9 and recommendations of the Government Account-
10 ability Office.

11 (2) CONGRESSIONAL BUDGET OFFICE.—The

12 Director of the Congressional Budget Office shall
13 provide technical assistance to the Commission, as
14 the Commission conducts the work of the Commis-
15 sion, on the findings and recommendations of the
16 Congressional Budget Office.

17 (3) JOINT COMMITTEE ON TAXATION.—The

18 chair of the Joint Committee on Taxation shall pro-
19 vide technical assistance to the Commission, as the
20 Commission conducts the work of the Commission,
21 on the findings and recommendations of the Joint
22 Committee on Taxation.

23 (i) PERSONNEL MATTERS.—

24 (1) IN GENERAL.—Members of the Commission
25 shall serve without any additional compensation.

1 (2) TRAVEL EXPENSES.—Members of the Com-
2 mission shall be allowed travel expenses, including
3 per diem in lieu of subsistence, as rates authorized
4 for employees of agencies under subchapter I of
5 chapter 57 of title 5, United States Code, while
6 away from their homes or regular places of business
7 in the performance of services for the Commission.

8 (3) STAFF.—

9 (A) IN GENERAL.—The Co-Chairpersons of
10 the Commission, may without regard to the civil
11 service laws and regulations, appoint and termi-
12 nate an executive director and such other addi-
13 tional personnel as may be necessary to enable
14 the Commission to perform its duties. The em-
15 ployment of an executive director shall be sub-
16 ject to confirmation by the Commission.

17 (B) COMPENSATION.—The Co-Chairper-
18 sons of the Commission may fix the compensa-
19 tion of the executive director and other per-
20 sonnel without regard to the provisions of chap-
21 ter 51 and subchapter III of chapter 53 of title
22 5, United States Code, relating to the classifica-
23 tion of positions and General Schedule pay
24 rates, except that the rate of pay for the execu-
25 tive director and other personnel may not ex-

1 ceed the rate payable for level V of the Execu-
2 tive Schedule under section 5613 of such title.

3 (4) DETAIL OF GOVERNMENT EMPLOYEES.—

4 Any Federal Government employee may be detailed
5 to the Commission without reimbursement, and such
6 detail shall be without interruption or loss of civil
7 service status or privilege.

8 (5) PROCUREMENT OF TEMPORARY AND INTER-

9 MITTENT SERVICES.—The Co-Chairpersons of each
10 Commission may procure temporary and intermit-
11 tent services under section 3109(b) of title 5, United
12 States Code, at rates for individuals which do not
13 exceed the daily equivalent of the annual rate of
14 basic pay prescribed for level V of the Executive
15 Schedule under section 5316 of such title.

16 (j) TERMINATION OF THE COMMISSION.—The Com-

17 mission established shall terminate 30 days after the date
18 on which the Commission submits the final report of the
19 Commission under subsection (f).

20 (k) RULES OF CONSTRUCTION.—Nothing in this Act

21 shall be construed to—

22 (1) impair or otherwise affect—

23 (A) authority granted by law to an execu-
24 tive department, agency, or the head thereof; or

1 (B) functions of the Director of the Office
2 of Management and Budget relating to budg-
3 etary, administrative, or legislative proposals; or
4 (2) create any right or benefit, substantive or
5 procedural, enforceable at law or in equity by any
6 party against the United States, its departments,
7 agencies, or entities, its officers, employees, or
8 agents, or any other person.

9 (l) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There are authorized to be
11 appropriated to the Commission such sums as may
12 be necessary to carry out this Act.

13 (2) AVAILABILITY.—Any sums appropriated
14 under paragraph (1) shall remain available, without
15 fiscal year limitation, until expended.

16 (m) FEDERAL AGENCY DEFINED.—The term “Fed-
17 eral agency” means an establishment in the executive, leg-
18 islative, or judicial branch of the Federal Government.

19 **SEC. 3. CONSIDERATION OF COMMISSION RECOMMENDA-**
20 **TIONS.**

21 (a) SUBMISSION OF PROPOSED JOINT RESOLU-
22 TION.—Not later than 60 days after the date on which
23 the Commission submits a report to Congress under sec-
24 tion 2(f)(3), the President shall transmit to Congress a
25 special message on the report, accompanied by a proposed

1 joint resolution consisting of legislative language to imple-
2 ment the recommendations contained in such report.

3 (b) REQUIREMENTS FOR PREPARATION OF PRO-
4 POSED JOINT RESOLUTION.—

5 (1) CONSULTATION WITH CONGRESS.—

6 (A) IN GENERAL.—The President may not
7 transmit a proposed joint resolution under sub-
8 section (a) until after the President completes
9 consultation with Congress in accordance with
10 this paragraph.

11 (B) CONSULTATION WITH COMMITTEES.—
12 The President shall consult with the chairman
13 and ranking minority member of each relevant
14 committee of the Senate or of the House of
15 Representatives regarding the contents of a
16 proposed joint resolution.

17 (C) REQUIREMENTS FOR CONSULTA-
18 TION.—The consultation required under sub-
19 paragraph (B) shall provide the opportunity for
20 the chairman and ranking member of each rel-
21 evant committee of the Senate or of the House
22 of Representatives to provide—

23 (i) recommendations for alternative
24 means of addressing the recommendations
25 contained in the Commission report; and

1 (ii) recommendations regarding which
2 recommendations contained in the Com-
3 mission report should not be addressed in
4 the proposed joint resolution.

5 (D) RELEVANT COMMITTEES.—The rel-
6 evant committees of the Senate and the House
7 of Representatives for purposes of this para-
8 graph shall be—

- 9 (i) determined by the President; and
10 (ii) based on the content of the pro-
11 posed joint resolution.

12 (2) CONSULTATION WITH GAO AND CBO.—The
13 President shall prepare a proposed joint resolution
14 transmitted under subsection (a) in consultation
15 with the Comptroller General of the United States
16 and the Director of the Congressional Budget Office.

17 (c) CONTENTS OF SPECIAL MESSAGE.—A special
18 message transmitted under subsection (a) shall—

19 (1) specify recommendations outlined in the
20 Commission report that are excluded from the pro-
21 posed joint resolution;

22 (2) detail why the recommendations described
23 in paragraph (1) were excluded from the proposed
24 joint resolution;

1 (3) specify recommendations outlined in the
2 Commission report that are included in the proposed
3 joint resolution; and

4 (4) identify programs included in the Commis-
5 sion report that should be eliminated or consoli-
6 dated.

7 (d) TRANSMITTAL.—The President shall submit the
8 special message to the Secretary of the Senate if the Sen-
9 ate is not in session and to the Clerk of the House of
10 Representatives if the House is not in session.

11 (e) PUBLIC AVAILABILITY.—The President shall
12 make a copy of the special message and the proposed joint
13 resolution publicly available, including publicly available
14 on a website of the President, and shall publish in the
15 Federal Register a notice of the message and information
16 on how it can be obtained.

17 **SEC. 4. EXPEDITED CONSIDERATION OF PROPOSED JOINT**
18 **RESOLUTION.**

19 (a) QUALIFYING LEGISLATION.—

20 (1) IN GENERAL.—Only a Commission joint
21 resolution shall be entitled to expedited consideration
22 under this section.

23 (2) DEFINITION.—In this section, the term
24 “Commission joint resolution” means a joint resolu-
25 tion which consists solely of the text of the proposed

1 joint resolution submitted by the President under
2 section 3(a).

3 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
4 ATIVES.—

5 (1) INTRODUCTION.—A Commission joint reso-
6 lution may be introduced in the House of Represent-
7 atives (by request)—

8 (A) by the majority leader of the House of
9 Representatives, or by a Member of the House
10 of Representatives designated by the majority
11 leader of the House of Representatives, on the
12 next legislative day after the date on which the
13 President submits the proposed joint resolution
14 under section 3(a); or

15 (B) if the Commission joint resolution is
16 not introduced under subparagraph (A), by any
17 Member of the House of Representatives on any
18 legislative day beginning on the legislative day
19 after the legislative day described in subpara-
20 graph (A).

21 (2) REFERRAL AND REPORTING.—Any com-
22 mittee of the House of Representatives to which a
23 Commission joint resolution is referred shall report
24 the Commission joint resolution to the House of
25 Representatives without amendment not later than

1 10 legislative days after the date on which the Com-
2 mission joint resolution was so referred. If a com-
3 mittee of the House of Representatives fails to re-
4 port a Commission joint resolution within that pe-
5 riod, it shall be in order to move that the House of
6 Representatives discharge the committee from fur-
7 ther consideration of the Commission joint resolu-
8 tion. Such a motion shall not be in order after the
9 last committee authorized to consider the Commis-
10 sion joint resolution reports it to the House of Rep-
11 resentatives or after the House of Representatives
12 has disposed of a motion to discharge the Commis-
13 sion joint resolution. The previous question shall be
14 considered as ordered on the motion to its adoption
15 without intervening motion except 20 minutes of de-
16 bate equally divided and controlled by the proponent
17 and an opponent. If such a motion is adopted, the
18 House of Representatives shall proceed immediately
19 to consider the Commission joint resolution in ac-
20 cordance with paragraphs (3) and (4). A motion to
21 reconsider the vote by which the motion is disposed
22 of shall not be in order.

23 (3) PROCEEDING TO CONSIDERATION.—After
24 the last committee authorized to consider a Commis-
25 sion joint resolution reports it to the House of Rep-

1 representatives or has been discharged (other than by
2 motion) from its consideration, it shall be in order
3 to move to proceed to consider the Commission joint
4 resolution in the House of Representatives. Such a
5 motion shall not be in order after the House of Rep-
6 resentatives has disposed of a motion to proceed
7 with respect to the Commission joint resolution. The
8 previous question shall be considered as ordered on
9 the motion to its adoption without intervening mo-
10 tion. A motion to reconsider the vote by which the
11 motion is disposed of shall not be in order.

12 (4) CONSIDERATION.—The Commission joint
13 resolution shall be considered as read. All points of
14 order against the Commission joint resolution and
15 against its consideration are waived. The previous
16 question shall be considered as ordered on the Com-
17 mission joint resolution to its passage without inter-
18 vening motion except 2 hours of debate equally di-
19 vided and controlled by the proponent and an oppo-
20 nent and 1 motion to limit debate on the Commis-
21 sion joint resolution. A motion to reconsider the vote
22 on passage of the Commission joint resolution shall
23 not be in order.

24 (5) VOTE ON PASSAGE.—The vote on passage
25 of the Commission joint resolution shall occur not

1 later than 3 legislative days after the date on which
2 the last committee authorized to consider the Com-
3 mission joint resolution reports it to the House of
4 Representatives or is discharged.

5 (c) EXPEDITED PROCEDURE IN THE SENATE.—

6 (1) INTRODUCTION IN THE SENATE.—A Com-
7 mission joint resolution may be introduced in the
8 Senate (by request)—

9 (A) by the majority leader of the Senate,
10 or by a Member of the Senate designated by the
11 majority leader of the Senate, on the next legis-
12 lative day after the date on which the President
13 submits the proposed joint resolution under sec-
14 tion 3(a); or

15 (B) if the Commission joint resolution is
16 not introduced under subparagraph (A), by any
17 Member of the Senate on any day on which the
18 Senate is in session beginning on the day after
19 the day described in subparagraph (A).

20 (2) COMMITTEE CONSIDERATION.—A Commis-
21 sion joint resolution introduced in the Senate under
22 paragraph (1) shall be jointly referred to the com-
23 mittee or committees of jurisdiction, which commit-
24 tees shall report the Commission joint resolution
25 without any revision and with a favorable rec-

1 ommendation, an unfavorable recommendation, or
2 without recommendation, not later than 10 session
3 days after the date on which the Commission joint
4 resolution was so referred. If any committee to
5 which a Commission joint resolution is referred fails
6 to report the Commission joint resolution within that
7 period, that committee shall be automatically dis-
8 charged from consideration of the Commission joint
9 resolution, and the Commission joint resolution shall
10 be placed on the appropriate calendar.

11 (3) PROCEEDING.—Notwithstanding rule XXII
12 of the Standing Rules of the Senate, it is in order,
13 not later than 2 days of session after the date on
14 which a Commission joint resolution is reported or
15 discharged from all committees to which the Com-
16 mission joint resolution was referred, for the major-
17 ity leader of the Senate or the designee of the major-
18 ity leader to move to proceed to the consideration of
19 the Commission joint resolution. It shall also be in
20 order for any Member of the Senate to move to pro-
21 ceed to the consideration of the Commission joint
22 resolution at any time after the conclusion of such
23 2-day period. A motion to proceed is in order even
24 though a previous motion to the same effect has
25 been disagreed to. All points of order against the

1 motion to proceed to the Commission joint resolution
2 are waived. The motion to proceed is not debatable.
3 The motion is not subject to a motion to postpone.
4 A motion to reconsider the vote by which the motion
5 is agreed to or disagreed to shall not be in order. If
6 a motion to proceed to the consideration of the Com-
7 mission joint resolution is agreed to, the Commission
8 joint resolution shall remain the unfinished business
9 until disposed of. All points of order against a Com-
10 mission joint resolution and against consideration of
11 the Commission joint resolution are waived.

12 (4) NO AMENDMENTS.—An amendment to a
13 Commission joint resolution, or a motion to post-
14 pone, or a motion to proceed to the consideration of
15 other business, or a motion to recommit the Com-
16 mission joint resolution, is not in order.

17 (5) RULINGS OF THE CHAIR ON PROCEDURE.—
18 Appeals from the decisions of the Chair relating to
19 the application of the rules of the Senate, as the
20 case may be, to the procedure relating to a Commis-
21 sion joint resolution shall be decided without debate.

22 (d) AMENDMENT.—A Commission joint resolution
23 shall not be subject to amendment in either the Senate
24 or the House of Representatives.

25 (e) CONSIDERATION BY THE OTHER HOUSE.—

1 (1) IN GENERAL.—If, before passing a Commis-
2 sion joint resolution, a House receives from the
3 other House a Commission joint resolution of the
4 other House—

5 (A) the Commission joint resolution of the
6 other House shall not be referred to a com-
7 mittee; and

8 (B) the procedure in the receiving House
9 shall be the same as if no Commission joint res-
10 olution had been received from the other House
11 until the vote on passage, when the Commission
12 joint resolution received from the other House
13 shall supplant the Commission joint resolution
14 of the receiving House.

15 (2) REVENUE MEASURES.—This subsection
16 shall not apply to the House of Representatives if a
17 Commission joint resolution received from the Sen-
18 ate is a revenue measure.

19 (f) RULES TO COORDINATE ACTION WITH OTHER
20 HOUSE.—

21 (1) TREATMENT OF COMMISSION JOINT RESO-
22 LUTION OF OTHER HOUSE.—If a Commission joint
23 resolution is not introduced in the Senate or the
24 Senate fails to consider a Commission joint resolu-
25 tion under this section, the Commission joint resolu-

1 tion of the House of Representatives shall be entitled
2 to expedited floor procedures under this section.

3 (2) TREATMENT OF COMPANION MEASURES IN
4 THE SENATE.—If, following passage of a Commis-
5 sion joint resolution in the Senate, the Senate then
6 receives from the House of Representatives a Com-
7 mission joint resolution, the House-passed Commis-
8 sion joint resolution shall not be debatable. The vote
9 on passage of the Commission joint resolution in the
10 Senate shall be considered to be the vote on passage
11 of the Commission joint resolution received from the
12 House of Representatives.

13 (3) VETOES.—If the President vetoes a Com-
14 mission joint resolution, consideration of a veto mes-
15 sage in the Senate under this paragraph shall be 10
16 hours equally divided between the majority and mi-
17 nority leaders of the Senate or the designees of the
18 majority and minority leaders of the Senate.

19 (g) EXERCISE OF RULEMAKING POWER.—This sec-
20 tion is enacted by Congress—

21 (1) as an exercise of the rulemaking power of
22 the Senate and House of Representatives, respec-
23 tively, and as such it is deemed a part of the rules
24 of each House, respectively, but applicable only with
25 respect to the procedure to be followed in that

1 House in the case of a Commission joint resolution,
2 and it supersedes other rules only to the extent that
3 it is inconsistent with such rules; and

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

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