

118TH CONGRESS
2D SESSION

S. 4662

To strengthen congressional oversight of the Administrative Pay-As-You-Go Act of 2023, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2024

Mr. BRAUN (for himself and Mr. MARSHALL) introduced the following bill;
which was read twice and referred to the Committee on the Budget

A BILL

To strengthen congressional oversight of the Administrative Pay-As-You-Go Act of 2023, 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 “Strengthening Admin-
5 istrative PAYGO Act of 2024” or the “SAP Act of 2024”.

6 **SEC. 2. CONGRESSIONAL OVERSIGHT OF ADMINISTRATIVE**
7 **PAY-AS-YOU-GO ACT OF 2023.**

8 (a) WAIVER.—Section 265 of the Administrative
9 Pay-As-You-Go Act of 2023 (5 U.S.C. 551 note) is
10 amended by adding at the end the following:

1 “(c) SUBMISSION TO BUDGET COMMITTEES.—The
2 Director shall submit to the Committee on the Budget of
3 the Senate and the Committee on the Budget of the House
4 of Representatives—

5 “(1) any waiver determination under subsection
6 (a);

7 “(2) a detailed explanation of why the waiver
8 was necessary; and

9 “(3) an estimate of the budgetary effects of the
10 covered discretionary administrative action with re-
11 spect to which the waiver was made.”.

12 (b) EXEMPTION.—Section 266 of such Act is amend-
13 ed to read as follows:

14 **“SEC. 266. APPLICATION.**

15 “(a) IN GENERAL.—This title shall apply to any ad-
16 ministrative action that increases direct spending by not
17 less than—

18 “(1) \$1,000,000,000 over the 10-year period
19 beginning with the current year; or

20 “(2) \$100,000,000 in any year during such 10-
21 year period.

22 “(b) REVIEW.—With respect to any covered discre-
23 tionary administrative action to which this title does not
24 apply under subsection (a), the Director shall submit to
25 the Committee on the Budget of the Senate, the Com-

1 mittee on the Budget of the House of Representatives, and
 2 the Comptroller General of the United States an estimate
 3 of the budgetary effects of the covered discretionary ad-
 4 ministrative action.”.

5 (c) STATEMENT OF PURPOSE WITH RESPECT TO
 6 BUDGET NEUTRALITY.—Section 261 of such Act is
 7 amended to read as follows:

8 **“SEC. 261. SHORT TITLE; PURPOSE.**

9 “(a) SHORT TITLE.—This title may be cited as the
 10 ‘Administrative Pay-As-You-Go Act of 2023’.

11 “(b) PURPOSE.—It is the purpose of this title to es-
 12 tablish a budget neutral requirement for discretionary ad-
 13 ministrative actions of the executive branch that affect di-
 14 rect spending.”.

15 (d) TERMINATION OF SUNSET.—Such Act is amend-
 16 ed—

17 (1) by striking section 268; and

18 (2) by redesignating sections 269 and 270 as
 19 sections 268 and 269, respectively.

20 (e) BUDGET SUBMISSION.—Section 1105(a) of title
 21 31, United States Code, is amended by adding at the end
 22 the following:

23 “(40) the number of waiver determinations
 24 under section 265(a) of the Administrative Pay-As-
 25 You-Go Act of 2023 (5 U.S.C. 551 note)—

1 “(A) submitted during the prior fiscal
2 year;

3 “(B) submitted during the first quarter of
4 the current fiscal year; and

5 “(C) expected to be submitted—

6 “(i) during the second, third, and
7 fourth quarters of the current fiscal year;
8 and

9 “(ii) during the fiscal year for which
10 the budget is submitted.”.

11 (f) TECHNICAL AND CONFORMING AMENDMENT.—

12 The table of contents in section 2 of the Fiscal Responsi-
13 bility Act of 2023 (Public Law 118–5; 137 Stat. 10) is
14 amended—

15 (1) by striking the item relating to section 261
16 and inserting the following:

“Sec. 261. Short title; purpose.”;

17 (2) by striking the item relating to section 266
18 and inserting the following:

“Sec. 266. Application.”; and

19 (3) by striking the items relating to sections
20 268, 269, and 270 and inserting the following:

“Sec. 268. GAO report.

“Sec. 269. Congressional Review Act compliance assessment.”.

○