

15 AN AMENDMENT IN THE NATURE OF A

SUBSTITUTE TO BE OFFERED BY

REPRESENTATIVE SPRATT OF

SOUTH CAROLINA, OR HIS DESIGNEE,

DEBATABLE FOR 30 MINUTES.

**AMENDMENT TO H.R. 3973, AS REPORTED
OFFERED BY MR. SPRATT OF SOUTH CAROLINA**

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Budget Enforcement Act of 2004”.

SEC. 2. EXTENSION OF DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY SPENDING LIMITS.—(1) Section 251(c)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (relating to fiscal year 2004) is amended—

(A) in subparagraph (A), by striking “\$31,834,000,000” and inserting “\$28,052,000,000”; and

(B) in subparagraph (B), by striking “\$1,462,000,000” and inserting “\$1,436,000,000” and by striking “\$6,629,000,000” and inserting “\$6,271,000,000”.

(2) Section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting a dash after “2005”, by redesignating the remaining portion of such paragraph as subparagraph (D)

and by moving it two ems to the right, and by inserting after the dash the following new subparagraphs:

“(A) for the general purpose discretionary category: \$ 832,474,000,000 in new budget authority and \$ 870,895,000,000 in outlays;

“(B) for the highway category: \$30,585,000,000 in outlays; and

“(C) for the mass transit category: \$1,554,000,000 in new budget authority and \$6,787,000,000 in outlays; and”.

(3) Section 251(c)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting a dash after “2006”, by redesignating the remaining portion of such paragraph as subparagraph (D) and by moving it two ems to the right, and by inserting after the dash the following new subparagraphs:

“(A) for the general purpose discretionary category: \$ 856,819,000,000 in new budget authority and \$ 865,993,000,000 in outlays;

“(B) for the highway category: \$33,271,000,000 in outlays; and

“(C) for the mass transit category: \$1,671,000,000 in new budget authority and \$7,585,000,000 in outlays; and”.

(4) Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by redesignating paragraphs (4) through (9) as paragraphs (7) through (12) and inserting after paragraph (3) the following new paragraphs:

“(4) with respect to fiscal year 2007—

“(A) for the highway category:
\$35,248,000,000 in outlays; and

“(B) for the mass transit category:
\$1,785,000,000 in new budget authority and
\$8,110,000,000 in outlays;

“(5) with respect to fiscal year 2008—

“(A) for the highway category:
\$36,587,000,000 in outlays; and

“(B) for the mass transit category:
\$1,890,000,000 in new budget authority and
\$8,517,000,000 in outlays; and

“(6) with respect to fiscal year 2009—

“(A) for the highway category:
\$37,682,000,000 in outlays; and

“(B) for the mass transit category:
\$2,017,000,000 in new budget authority and
\$8,968,000,000 in outlays;”.

(b) DEFINITIONS.—Section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subparagraph (B), by—

(A) striking “the Transportation Equity Act for the 21st Century and the Surface Transportation Extension Act of 2003” and inserting “the Transportation Equity Act: A Legacy for Users”; and

(B) inserting before the period at the end the following new clauses:

“(v) 69-8158-0-7-401 (Motor Carrier Safety Grants).

“(vi) 69-8159-0-7-401 (Motor Carrier Safety Operations and Programs).”;

(2) in subparagraph (C), by—

(A) inserting “(and successor accounts)” after “budget accounts”; and

(B) striking “the Transportation Equity Act for the 21st Century and the Surface Transportation Extension Act of 2003 or for which appropriations are provided pursuant to authorizations contained in those Acts (except that appropriations provided pursuant to section 5338(h) of title 49, United States Code, as

amended by the Transportation Equity Act for the 21st Century, shall not be included in this category)” and inserting “the Transportation Equity Act: A Legacy for Users or for which appropriations are provided pursuant to authorizations contained in that Act”; and

(3) in subparagraph (D)(ii), by striking “section 8103 of the Transportation Equity Act for the 21st Century” and inserting “section 8103 of the Transportation Equity Act: A Legacy for Users”.

SEC. 3. ADJUSTMENTS TO ALIGN HIGHWAY SPENDING WITH REVENUES.

Subparagraphs (B) through (E) of section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 are amended to read as follows:

“(B) ADJUSTMENT TO ALIGN HIGHWAY SPENDING WITH REVENUES.—(i) When the President submits the budget under section 1105 of title 31, United States Code, OMB shall calculate and the budget shall make adjustments to the highway category for the budget year and each outyear as provided in clause (ii)(I)(cc).

“(ii)(I)(aa) OMB shall take the actual level of highway receipts for the year before the cur-

rent year and subtract the sum of the estimated level of highway receipts in subclause (II) plus any amount previously calculated under item (bb) for that year.

(bb) OMB shall take the current estimate of highway receipts for the current year and subtract the estimated level of receipts for that year.

“(cc) OMB shall add one-half of the sum of the amount calculated under items (aa) and (bb) to the obligation limitations set forth in the section 8103 of the Transportation Equity Act: A Legacy for Users and, using current estimates, calculate the outlay change resulting from the change in obligations for the budget year and the first outyear and the outlays flowing therefrom through subsequent fiscal years. After making the calculations under the preceding sentence, OMB shall adjust the amount of obligations set forth in that section for the budget year and the first outyear by adding one-half of the sum of the amount calculated under items (aa) and (bb) to each such year.

“(II) The estimated level of highway receipts for the purposes of this clause are—

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“(aa) for fiscal year 2004,
\$30,572,000,000;

“(bb) for fiscal year 2005,
\$34,260,000,000;

“(cc) for fiscal year 2006,
\$35,586,000,000;

“(dd) for fiscal year 2007,
\$36,570,000,000;

“(ee) for fiscal year 2008,
\$37,603,000,000; and

“(ff) for fiscal year 2009,
\$38,651,000,000.

“(III) In this clause, the term ‘highway receipts’ means the governmental receipts credited to the highway account of the Highway Trust Fund.

“(C) In addition to the adjustment required by subparagraph (B), when the President submits the budget under section 1105 of title 31, United States Code, for fiscal year 2006, 2007, 2008, or 2009, OMB shall calculate and the budget shall include for the budget year and each outyear an adjustment to the limits on outlays for the highway category and the mass transit category equal to—

“(i) the outlays for the applicable category calculated assuming obligation levels consistent with the estimates prepared pursuant to subparagraph (D), as adjusted, using current technical assumptions; minus

“(ii) the outlays for the applicable category set forth in the subparagraph (D) estimates, as adjusted.

“(D)(i) When OMB and CBO submit their final sequester report for fiscal year 2004, that report shall include an estimate of the outlays for each of the categories that would result in fiscal years 2005 through 2009 from obligations at the levels specified in section 8103 of the Transportation Equity Act: A Legacy for Users using current assumptions.

“(ii) When the President submits the budget under section 1105 of title 31, United States Code, for fiscal year 2006, 2007, 2008, or 2009, OMB shall adjust the estimates made in clause (i) by the adjustments by subparagraphs (B) and (C).

“(E) OMB shall consult with the Committees on the Budget and include a report on adjustments under subparagraphs (B) and (C) in the preview report.”

SEC. 5. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.

Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended “2002” both places it appears and inserting “2009”.

SEC. 6. REPORTS.

Subsections (c)(2) and (f)(2)(A) of section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 are amended by striking “2002” and inserting “2006 (or 2009 solely for purposes of enforcing the discretionary spending limits for the highway and mass transit categories)”.

SEC. 7. EXPIRATION.

Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking “2002” and inserting “2006 (or 2009 solely for purposes of enforcing the discretionary spending limits for the highway and mass transit categories)” and by striking “2006” and inserting “2013”.

SEC. 8. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

- (1) In section 250(a), strike “SEC. 256. GENERAL AND SPECIAL SEQUESTRATION RULES” and insert “Sec. 256. General and special

sequestration rules” in the item relating to section 256.

(2) In subparagraphs (F), (G), (H), (I), (J), and (K) of section 250(c)(4), insert “subparagraph” after “described in” each place it appears.

(3) In section 250(c)(18), insert “of” after “expenses”.

(4) In section 251(b)(1)(A), strike “committees” the first place it appears and insert “Committees”.

(5) In section 251(b)(1)(C)(i), strike “fiscal years” and insert “fiscal year”.

(6) In section 251(b)(1)(D)(ii), strike “fiscal years” and insert “fiscal year”.

(7) In section 252(b)(2)(B), insert “the” before “budget year”.

(8) In section 252(c)(1)(C)(i), strike “paragraph (1)” and insert “subsection (b)”.

(9) In section 254(c)(3)(A), strike “subsection” and insert “section”.

(10) In section 254(f)(4), strike “subsection” and insert “section” and strike “sequesterable” and insert “sequestrable”.

(11) In section 255(g)(1)(B), move the fourteenth undesignated clause 2 ems to the right.

(12) In section 255(g)(2), insert “and” after the semicolon at the end of the next-to-last undesignated clause.

(13) In section 255(h)—

(A) strike “and” after the semicolon in the ninth undesignated clause;

(B) insert “and” after the semicolon at the end of the tenth undesignated clause; and

(C) strike the semicolon at the end and insert a period.

(14) In section 256(k)(1), strike “paragraph (5)” and insert “paragraph (6)”.

(15) In section 257(b)(2)(A)(i), strike “differenes” and insert “differences”.