

10 AN AMENDMENT IN THE NATURE OF A  
SUBSTITUTE TO BE OFFERED BY

REPRESENTATIVE YOUNG OF  
FLORIDA, OR HIS DESIGNEE,

DEBATABLE FOR 30 MINUTES.

**AMENDMENT TO H.R. 3973, AS REPORTED  
OFFERED BY MR. YOUNG OF FLORIDA**

20  
rev

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Spending Control Act  
3 of 2004".

**4 SEC. 2. EXTENSION OF DIRECT SPENDING CONTROLS.**

5 (a) PURPOSE.—Section 252(a) of the Balanced  
6 Budget and Emergency Deficit Control Act of 1985 is  
7 amended to read as follows:

8 "(a) PURPOSE.—The purpose of this section is to as-  
9 sure that any legislation that causes a net increase in di-  
10 rect spending will trigger an offsetting sequestration."

11 (b) TIMING.—Section 252(b)(1) of the Balanced  
12 Budget and Emergency Deficit Control Act of 1985 is  
13 amended by striking "any net deficit increase" and all  
14 that follows through "2002," and by inserting "any net  
15 increase in direct spending,".

16 (c) CALCULATION OF DIRECT SPENDING IN-  
17 CREASE.—(1) Section 252(b)(2) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985 is amended  
19 to read as follows:

1           “(2) CALCULATION OF DIRECT SPENDING IN-  
2           CREASE.—OMB shall calculate the amount of in-  
3           crease or decrease in direct spending. If, in the  
4           President’s budget submission pursuant to section  
5           1105(a) of title 31, United States Code, baseline es-  
6           timates for direct spending for the current year ex-  
7           ceed the direct spending baseline estimates for the  
8           current year assumed in the previous year’s budget  
9           as a result of legislation enacted since the previous  
10          budget, that shall be treated as an increase in direct  
11          spending for purposes of this section.

12          (2) CONFORMING AMENDMENT.—Section 1105(a) of  
13          title 31, United States Code, is amended by adding at the  
14          end the following new paragraph:

15                 “(35) a separate statement identifying the  
16                 changes in direct spending baseline estimates for the  
17                 current year resulting from economic factors, tech-  
18                 nical factors, or enacted legislation.”.

19          (d) CONFORMING AMENDMENTS.—(1) The heading  
20          of section 252(c) of the Balanced Budget and Emergency  
21          Deficit Control Act of 1985 is amended to read as follows:  
22          “ELIMINATING A DIRECT SPENDING INCREASE.—”.

23          (2) Paragraphs (1), (2), and (4) of section 252(d)  
24          of the Balanced Budget and Emergency Deficit Control

1 Act of 1985 are amended by striking "or receipts" each  
2 place it appears.

3 (3) Section 252(e) of the Balanced Budget and  
4 Emergency Deficit Control Act of 1985 is amended by  
5 striking "or receipts" and by striking ", outlays, and re-  
6 ceipts" and inserting "and outlays".

7 (4) Section 254(c)(3) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985 is amended—

9 (A) in subparagraph (A) by striking "net deficit  
10 increase or decrease" and by inserting "net increase  
11 or decrease in direct spending";

12 (B) in subparagraph (B) by striking "amount  
13 of deficit increase or decrease" and by inserting "in-  
14 crease or decrease in direct spending"; and

15 (C) in subparagraph (C) by striking "a deficit  
16 increase" and by inserting "an increase in direct  
17 spending".

18 **SEC. 3. PROJECTIONS UNDER SECTION 257.**

19 Section 257(c) of the Balanced Budget and Emer-  
20 gency Deficit Control Act of 1985 is amended by inserting  
21 after paragraph (6) the following new paragraph:

22 "(7) EMERGENCIES.—New budgetary resources  
23 designated under section 251(b)(2)(A) or  
24 251(b)(2)(I) shall not be assumed beyond the fiscal  
25 year for which they have been enacted."

1 **SEC. 4. EXCEPTION FOR OUTLAY COMPONENTS OF EXPIR-**  
2 **ING RECEIPTS LEGISLATION.**

3 Section 252(d)(4) of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985 is amended by striking  
5 “and” at the end of subparagraph (A), by striking the  
6 period and inserting “; and” at the end of subparagraph  
7 (B), and by adding at the end the following new subpara-  
8 graph:

9 “(C) extending provisions in the Economic  
10 Growth and Tax Relief Reconciliation Act of  
11 2001 or provisions in sections 101 through 104,  
12 section 202, or sections 301 and 302 of the  
13 Jobs and Growth Tax Relief Reconciliation Act  
14 of 2003.”.

15 **SEC. 5. TECHNICAL CORRECTIONS TO THE BALANCED**  
16 **BUDGET AND EMERGENCY DEFICIT CONTROL**  
17 **ACT OF 1985.**

18 Part C of the Balanced Budget and Emergency Def-  
19 icit Control Act of 1985 is amended as follows:

20 (1) In section 250(a), strike “SEC. 256. GEN-  
21 ERAL AND SPECIAL SEQUESTRATION  
22 RULES” and insert “Sec. 256. General and special  
23 sequestration rules” in the item relating to section  
24 256.

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

4           (3) In section 250(c)(18), insert “of” after “ex-  
5           penses”.

6           (4) In section 251(b)(1)(A), strike “commit-  
7           tees” the first place it appears and insert “Commit-  
8           tees”.

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

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

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

15          (8) In section 252(c)(1)(C)(i), strike “para-  
16          graph (1)” and insert “subsection (b)”.

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

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

22          (11) In section 255(g)(1)(B), move the four-  
23          teenth undesignated clause 2 ems to the right.

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

4           (13) In section 255(h)—

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

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

9                 (C) strike the semicolon at the end and in-  
10                sert a period.

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

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

15 **SEC. 6. CHANGE OF FISCAL YEAR.**

16           (a) FISCAL YEAR TO BEGIN NOVEMBER 1.—Section  
17           1102 of title 31, United States Code, is amended by strik-  
18           ing “October 1” and inserting “November 1” and by strik-  
19           ing “September 30” and inserting “October 31”.

20           (b) TITLE OF APPROPRIATION ACTS.—Section 105  
21           of title 1, United States Code, is amended by striking  
22           “September 30” and inserting “October 31”.

23           (c) TRANSITION TO NEW FISCAL YEAR.—(1) As soon  
24           as practicable, the President shall prepare and submit to  
25           the Congress—

1 (A) after consultation with the Committees on  
2 Appropriations of the House of Representatives and  
3 the Senate, budget estimates for the United States  
4 Government for the period commencing October 1,  
5 2005, and ending October 31, 2005, in such form  
6 and detail as he may determine; and

7 (B) propose legislation he considers appropriate  
8 with respect to changes in law necessary to provide  
9 authorizations of appropriations for that period.

10 (2) The Director of the Office of Management and  
11 Budget shall provide, by regulation or otherwise, for the  
12 orderly transition of all departments, agencies, and instru-  
13 mentalities of the United States Government and the gov-  
14 ernment of the District of Columbia from the use of the  
15 fiscal year in effect on the date of enactment of this Act  
16 to the use of the new fiscal year prescribed by section 1102  
17 of title 31, United States Code, (as amended by subsection  
18 (a)). The Director shall prepare and submit to the Con-  
19 gress such additional proposed legislation as he considers  
20 necessary to accomplish this objective.

21 (d) EFFECTIVE DATE.—This section and the amend-  
22 ments made by it (except for subsection (c)) apply to fiscal  
23 year 2006 and subsequent fiscal years.

1 **SEC. 7. SUNSETTING OF DISCRETIONARY PROGRAMS AND**  
2 **UNEARNED ENTITLEMENTS.**

3 (a) FISCAL YEAR 2007.—Effective October 1, 2006,  
4 authorizations for all programs (except earned entitle-  
5 ments) shall terminate unless such programs are reauthor-  
6 ized after the date of enactment of this Act and before  
7 October 1, 2006.

8 (b) DEFINITIONS.—For purposes of subsection (a),  
9 the term “earned entitlement” means an entitlement  
10 earned by service or paid for in total or in part by assess-  
11 ments or contributions such as social security, veterans’  
12 benefits, retirement programs, and medicare.

13 **SEC. 8. SPECIAL RULE FOR FISCAL YEAR 2005.**

14 For purposes of ensuring the full funding of the  
15 transportation guarantees in fiscal year 2005, the  
16 amounts provided for fiscal year 2005 for discretionary  
17 new budget authority and outlays allocated to the House  
18 Committee on Appropriations as though under section  
19 302(a) of the Congressional Budget Act of 1974 shall be  
20 increased by not less than \$2,057,000,000 in budget au-  
21 thority and \$634,000,000 in outlays.