

poundment Control Act of 1974", with titles I through IX thereof to be cited as the "Congressional Budget Act of 1974", see section 1(a) of Pub. L. 93-344, set out as a note under section 621 of this title.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 603 of this title.

§ 602. Duties and functions

(a) Assistance to budget committees

It shall be the primary duty and function of the Office to provide to the Committees on the Budget of both Houses information which will assist such committees in the discharge of all matters within their jurisdictions, including (1) information with respect to the budget, appropriation bills, and other bills authorizing or providing new budget authority or tax expenditures, (2) information with respect to revenues, receipts, estimated future revenues and receipts, and changing revenue conditions, and (3) such related information as such Committee may request.

(b) Assistance to Committees on Appropriations, Ways and Means, and Finance

At the request of the Committee on Appropriations of either House, the Committee on Ways and Means of the House of Representatives, or the Committee on Finance of the Senate, the Office shall provide to such Committee any information which will assist it in the discharge of matters within its jurisdiction, including information described in clauses (1) and (2) of subsection (a) of this section and such related information as the Committee may request.

(c) Assistance to other committees and Members

(1) At the request of any other committee of the House of Representatives or the Senate or any joint committee of the Congress, the Office shall provide to such committee or joint committee any information compiled in carrying out clauses (1) and (2) of subsection (a) of this section, and, to the extent practicable, such additional information related to the foregoing as may be requested.

(2) At the request of any committee of the Senate or the House of Representatives, the Office shall, to the extent practicable, consult with and assist such committee in analyzing the budgetary or financial impact of any proposed legislation that may have—

(A) a significant budgetary impact on State, local, or tribal governments;

(B) a significant financial impact on the private sector; or

(C) a significant employment impact on the private sector.

(3) At the request of any Member of the House or Senate, the Office shall provide to such Member any information compiled in carrying out

clauses (1) and (2) of subsection (a) of this section, and, to the extent available, such additional information related to the foregoing as may be requested.

(d) Assignment of office personnel to committees and joint committees

At the request of the Committee on the Budget of either House, personnel of the Office shall be assigned, on a temporary basis, to assist such committee. At the request of any other committee of either House or any joint committee of the Congress, personnel of the Office may be assigned, on a temporary basis, to assist such committee or joint committee with respect to matters directly related to the applicable provisions of subsection (b) or (c) of this section.

(e) Reports to budget committees

(1) On or before February 15 of each year, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate a report, for the fiscal year commencing on October 1 of that year, with respect to fiscal policy, including (A) alternative levels of total revenues, total new budget authority, and total outlays (including related surpluses and deficits), (B) the levels of tax expenditures under existing law, taking into account projected economic factors and any changes in such levels based on proposals in the budget submitted by the President for such fiscal year, and (C) a statement of the levels of budget authority and outlays for each program assumed to be extended in the baseline, as provided in section 907(b)(2)(A) of this title and for excise taxes assumed to be extended under section 907(b)(2)(C) of this title. Such report shall also include a discussion of national budget priorities, including alternative ways of allocating new budget authority and budget outlays for such fiscal year among major programs or functional categories, taking into account how such alternative allocations will meet major national needs and affect balanced growth and development of the United States.

(2) The Director shall from time to time submit to the Committees on the Budget of the House of Representatives and the Senate such further reports (including reports revising the report required by paragraph (1)) as may be necessary or appropriate to provide such Committees with information, data, and analyses for the performance of their duties and functions.

(3) On or before January 15 of each year, the Director, after consultation with the appropriate committees of the House of Representatives and Senate, shall submit to the Congress a report listing (A) all programs and activities funded during the fiscal year ending September 30 of that calendar year for which authorizations for appropriations have not been enacted for that fiscal year, and (B) all programs and activities for which authorizations for appropriations have been enacted for the fiscal year ending September 30 of that calendar year, but for which no authorizations for appropriations have been enacted for the fiscal year beginning October 1 of that calendar year.

(f) Use of computers and other techniques

The Director may equip the Office with up-to-date computer capability (upon approval of the

Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate), obtain the services of experts and consultants in computer technology, and develop techniques for the evaluation of budgetary requirements.

(g) Studies

(1) Continuing studies

The Director of the Congressional Budget Office shall conduct continuing studies to enhance comparisons of budget outlays, credit authority, and tax expenditures.

(2) Federal mandate studies

(A) At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall, to the extent practicable, conduct a study of a legislative proposal containing a Federal mandate.

(B) In conducting a study on intergovernmental mandates under subparagraph (A), the Director shall—

(i) solicit and consider information or comments from elected officials (including their designated representatives) of State, local, or tribal governments as may provide helpful information or comments;

(ii) consider establishing advisory panels of elected officials or their designated representatives, of State, local, or tribal governments if the Director determines that such advisory panels would be helpful in performing responsibilities of the Director under this section; and

(iii) if, and to the extent that the Director determines that accurate estimates are reasonably feasible, include estimates of—

(I) the future direct cost of the Federal mandate to the extent that such costs significantly differ from or extend beyond the 5-year period after the mandate is first effective; and

(II) any disproportionate budgetary effects of Federal mandates upon particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities, as appropriate.

(C) In conducting a study on private sector mandates under subparagraph (A), the Director shall provide estimates, if and to the extent that the Director determines that such estimates are reasonably feasible, of—

(i) future costs of Federal private sector mandates to the extent that such mandates differ significantly from or extend beyond the 5-year time period referred to in subparagraph (B)(iii)(I);

(ii) any disproportionate financial effects of Federal private sector mandates and of any Federal financial assistance in the bill or joint resolution upon any particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities; and

(iii) the effect of Federal private sector mandates in the bill or joint resolution on the national economy, including the effect on productivity, economic growth, full em-

ployment, creation of productive jobs, and international competitiveness of United States goods and services.

(Pub. L. 93-344, title II, §202, July 12, 1974, 88 Stat. 304; Pub. L. 99-177, title II, §221, Dec. 12, 1985, 99 Stat. 1060; Pub. L. 101-508, title XIII, §13112(a)(3), Nov. 5, 1990, 104 Stat. 1388-608; Pub. L. 104-4, title I, §102(1), Mar. 22, 1995, 109 Stat. 60; Pub. L. 104-186, title II, §213, Aug. 20, 1996, 110 Stat. 1745; Pub. L. 105-33, title X, §10103, Aug. 5, 1997, 111 Stat. 678.)

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-33, §10103(a), inserted “primary” before “duty” in first sentence.

Subsec. (e). Pub. L. 105-33, §10103(b), redesignated subsec. (f) as (e) and struck out heading and text of former subsec. (e). Text of par. (1) of subsec. (e) read as follows: “The duties, functions, and personnel of the Joint Committee on Reduction of Federal Expenditures are transferred to the Office, and the Joint Committee is abolished.” Par. (2) of subsec. (e) repealed section 571 of former Title 31, Money and Finance.

Subsec. (e)(1)(C). Pub. L. 105-33, §10103(c), added subpar. (C).

Subsecs. (f) to (h). Pub. L. 105-33, §10103(b), redesignated subsecs. (g) and (h) as (f) and (g), respectively.

1996—Subsec. (g). Pub. L. 104-186 substituted “House Oversight” for “House Administration”.

1995—Subsec. (c)(2), (3). Pub. L. 104-4, §102(1)(A), added par. (2) and redesignated former par. (2) as (3).

Subsec. (h). Pub. L. 104-4, §102(1)(B), amended heading and text of subsec. (h) generally. Prior to amendment, text read as follows: “The Director shall conduct continuing studies to enhance comparisons of budget outlays, credit authority, and tax expenditures.”

1990—Subsecs. (a)(1), (f)(1). Pub. L. 101-508 substituted “new budget authority” for “budget authority” in subsec. (a)(1) and second sentence of subsec. (f)(1).

1985—Subsec. (f)(1). Pub. L. 99-177, §221(a), substituted “February 15” for “April 1”.

Subsec. (f)(3). Pub. L. 99-177, §221(b), added par. (3).

Subsec. (h). Pub. L. 99-177, §221(c), added subsec. (h).

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-4 effective Jan. 1, 1996, or on the date 90 days after appropriations are made available as authorized under section 1516 of this title, whichever is earlier, and applicable to legislation considered on and after such date, see section 110 of Pub. L. 104-4, set out as an Effective Date note under section 1511 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, see section 275(a)(1) of Pub. L. 99-177, set out as an Effective and Termination Dates note under section 900 of this title.

EFFECTIVE DATE

Section effective on day on which first Director of Congressional Budget Office is appointed under section 601(a) of this title, see section 905(b) of Pub. L. 93-344, formerly set out as a note under section 621 of this title.

CREDIT REFORM

Pub. L. 100-119, title II, §212, Sept. 29, 1987, 101 Stat. 787, provided that: “The Congressional Budget Office, in

consultation with the General Accounting Office, shall study and report to Congress on Federal direct loan and loan guarantee programs for fiscal year 1987 and fiscal year 1988. The report shall be submitted as soon as practicable to all congressional committees of appropriate jurisdiction. The report shall provide information and recommendations on: (1) more accurately measuring the costs to the Federal Government of such credit programs, (2) comparing the cost of credit programs to other forms of Federal assistance, and (3) improving the allocation of resources between credit and other programs. The report shall also discuss the considerations involved in establishing a system for using the information on the costs of credit programs as part of the budget process.”

§ 603. Public access to budget data

(a) Right to copy

Except as provided in subsections (c), (d), and (e) of this section, the Director shall make all information, data, estimates, and statistics obtained under section 601(d) and (e) of this title available for public copying during normal business hours, subject to reasonable rules and regulations, and shall to the extent practicable, at the request of any person, furnish a copy of any such information, data, estimates, or statistics upon payment by such person of the cost of making and furnishing such copy.

(b) Index

The Director shall develop and maintain filing, coding, and indexing systems that identify the information, data, estimates, and statistics to which subsection (a) of this section applies and shall make such systems available for public use during normal business hours.

(c) Exceptions

Subsection (a) of this section shall not apply to information, data, estimates, and statistics—

(1) which are specifically exempted from disclosure by law; or

(2) which the Director determines will disclose—

(A) matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) information relating to trade secrets or financial or commercial information pertaining specifically to a given person if the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(C) personnel or medical data or similar data the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

unless the portions containing such matters, information, or data have been excised.

(d) Information obtained for committees and Members

Subsection (a) of this section shall apply to any information, data, estimates, and statistics obtained at the request of any committee, joint committee, or Member unless such committee, joint committee, or Member has instructed the

Director not to make such information, data, estimates, or statistics available for public copying.

(e) Level of confidentiality

With respect to information, data, estimates, and statistics obtained under sections 601(d) and 601(e) of this title, the Director shall maintain the same level of confidentiality as is required by law of the department, agency, establishment, or regulatory agency or commission from which it is obtained. Officers and employees of the Congressional Budget Office shall be subject to the same statutory penalties for unauthorized disclosure or use as officers or employees of the department, agency, establishment, or regulatory agency or commission from which it is obtained.

(Pub. L. 93-344, title II, §203, July 12, 1974, 88 Stat. 305; Pub. L. 106-554, §1(a)(7) [title III, §310(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-639.)

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-554, §1(a)(7) [title III, §310(b)(2)], substituted “subsections (c), (d), and (e)” for “subsections (c) and (d)”.

Subsec. (e). Pub. L. 106-554, §1(a)(7) [title III, §310(b)(1)], added subsec. (e).

EFFECTIVE DATE

Section effective on day on which first Director of Congressional Budget Office is appointed under section 601(a) of this title, see section 905(b) of Pub. L. 93-344, formerly set out as a note under section 621 of this title.

§ 604. Omitted

CODIFICATION

Section, Pub. L. 94-440, title V, §500, Oct. 1, 1976, 90 Stat. 1452, the Legislative Appropriation Act, 1977, which authorized the Congressional Budget Office to contract without regard to section 5 of Title 41, Public Contracts, applied to fiscal year 1977 and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation act:

Pub. L. 94-157, title I, Dec. 18, 1975, 89 Stat. 834.

§ 605. Sale or lease of property, supplies, or services

(a) Any sale or lease of property, supplies, or services to the Congressional Budget Office shall be deemed to be a sale or lease to the Congress subject to section 111b of this title.

(b) Subsection (a) of this section shall apply with respect to fiscal years beginning after September 30, 1996.

(Pub. L. 104-197, title I, §104, Sept. 16, 1996, 110 Stat. 2404.)

REFERENCES IN TEXT

Section 111b of this title, referred to in subsec. (a), was in the original a reference to section 903 of the Supplemental Appropriations Act, 1983, Pub. L. 98-63, title I, July 30, 1983, 97 Stat. 336, which is classified to section 111b of this title and in part as a note set out under section 111b of this title.

CODIFICATION

Section was enacted as part of the appropriation act cited as the credit to this section, and not as part of title II of the Congressional Budget and Impoundment Control Act of 1974 which comprises this chapter.