

**PART B
CONGRESSIONAL
CONSIDERATION OF
PROPOSED RESCISSIONS,
RESERVATIONS, AND
DEFERRALS OF BUDGET
AUTHORITY**

DEFINITIONS

§ 1011 **SEC. 1011.**¹⁰⁰⁴ For purposes of this part —

§ 1011(1) (1) "deferral of budget authority"¹⁰⁰⁵ includes —

§ 1011(1)(A) (A) withholding or delaying the obligation or expenditure of budget authority¹⁰⁰⁶ (whether by establishing reserves or otherwise) provided for projects or activities; or

§ 1011(1)(B) (B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority,¹⁰⁰⁷ including authority to obligate by contract in advance of appropriations as specifically authorized by law;

¹⁰⁰⁴ Section 1011 is codified at 2 U.S.C. § 682 (1988).

¹⁰⁰⁵ Section 3(2) defines "budget authority." *See supra* pp. 11-13.

¹⁰⁰⁶ Section 3(2) defines "budget authority." *See supra* pp. 11-13.

¹⁰⁰⁷ Section 3(2) defines "budget authority." *See supra* pp. 11-13.

§ 1011(2) (2) "Comptroller General" means the Comptroller General of the United States;

§ 1011(3) (3) "rescission bill" means a bill or joint resolution which only rescinds, in whole or in part, budget authority¹⁰⁰⁸ proposed to be rescinded in a special message transmitted by the President under section 1012,¹⁰⁰⁹ and upon which the Congress completes action before the end of the first period of 45 calendar days¹⁰¹⁰ of continuous session of the Congress after the date on which the President's message is received by the Congress;

§ 1011(4) (4) "impoundment resolution" means a resolution of the House of Representatives or the Senate which only expresses its disapproval of a proposed deferral of budget authority¹⁰¹¹ set forth in a special message transmitted by the President under section 1013,¹⁰¹² and

§ 1011(5) (5) continuity of a session of the Congress shall be considered as broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of the 45-day period referred to in paragraph (3)¹⁰¹³ of this section and in section 1012,¹⁰¹⁴ and the 25-day peri-

¹⁰⁰⁸ Section 3(2) defines "budget authority." See *supra* pp. 11-13.

¹⁰⁰⁹ See *infra* pp. 378-380.

¹⁰¹⁰ Section 1011(5) defines this 45-day period. See *infra* p. 376.

¹⁰¹¹ Section 1011(1) defines "deferral of budget authority." See *supra* p. 375. Section 3(2) defines "budget authority." See *supra* pp. 11-13.

¹⁰¹² See *infra* pp. 381-384.

¹⁰¹³ See *supra* p. 376.

¹⁰¹⁴ See *infra* pp. 378-380.

ods referred to in sections 1016¹⁰¹⁵ and 1017(b)(1).¹⁰¹⁶ If a special message is transmitted under section 1012¹⁰¹⁷ during any Congress and the last session of such Congress adjourns sine die before the expiration of 45 calendar days of continuous session (or a special message is so transmitted after the last session of the Congress adjourns sine die), the message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the 45-day period referred to in paragraph (3)¹⁰¹⁸ of this section and in section 1012¹⁰¹⁹ (with respect to such message) shall commence on the day after such first day.

¹⁰¹⁵ See *infra* p. 392.

¹⁰¹⁶ See *infra* p. 396.

¹⁰¹⁷ See *infra* pp. 378-380.

¹⁰¹⁸ See *supra* p. 376.

¹⁰¹⁹ See *infra* pp. 378-380.