

- § 258B(c)(2) (2) that report is submitted within 5 calendar days of the start of the next session of Congress; and
- § 258B(c)(3) (3) a joint resolution affirming or modifying the changes proposed by the President pursuant to this paragraph becomes law.
- § 258B(d) (d) Within 5 calendar days of session after the President submits a report to Congress under subsection (c)(1) for a fiscal year, the majority leader of each House of Congress shall (by request) introduce a joint resolution which contains provisions affirming the changes proposed by the President pursuant to this paragraph.
- § 258B(e)(1) (e)(1) The matter after the resolving clause in any joint resolution introduced pursuant to subsection (d) shall be as follows: "That the report of the President as submitted on [Insert Date] under section 258B is hereby approved."

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<sup>1718</sup>(...continued)

Defense pursuant to Section 8014 of the Department of Defense Appropriations Act, 1989, as made available by the Joint Resolution making continuing appropriations for the fiscal year 1990, or any comparable provision subsequently enacted for fiscal year 1990, is proposed to be established at \$6,000,000,000, effective upon enactment of a joint resolution approving this report.

On October 20, 1989, the Majority Leader introduced, by request, the joint resolution approving the "report" (S.J. Res. 219, 101st Cong., 1st Sess., 135 CONG. REC. S13,825 (daily ed. Oct. 20, 1989)), reserving judgment as to whether the "report" complied with the requirements for that report set forth in section 252(c)(2). 135 CONG. REC. S13,825 (daily ed. Oct. 20, 1989) (statement of Sen. Mitchell).

On October 27, 1989, the fifth calendar day after the date of introduction of the joint resolution, the Senate failed to discharge the Appropriations Committee of the joint resolution. Representatives of the Budget and Appropriations Committees had argued that, because it did not indicate what "programs, projects, and activities" were affected, the President's submission did not constitute a "report" within the meaning of the statute and was thus not entitled to the procedural protections afforded by this section, including discharge from the Appropriations Committee. The Senate's failure to discharge appears to reflect the Parliamentarian's belief that the report did not fulfill the statutory requirements.