

be given to a qualifying individual (including employees of any State or local government, or the Federal Government), and 1 such award may be given to a qualifying organization, institution, or business.

**(2) Limitation**

No award shall be made under this section to an entity in either category described in paragraph (1) in any year if there is no qualified individual, organization, institution, or business recommended under subsection (c) of this section for an award in such category in that year.

**(c) Qualification criteria for award**

**(1) Selection panel**

A selection panel shall be established, comprised of a total of 8 persons, including—

- (A) 2 persons appointed by the Majority Leader of the Senate;
- (B) 2 persons appointed by the Minority Leader of the Senate;
- (C) 2 persons appointed by the Speaker of the House of Representatives; and
- (D) 2 persons appointed by the Minority Leader of the House of Representatives.

**(2) Qualification**

An individual, organization, institution, or business may qualify for an award under this section only if such individual, organization, institution, or business—

- (A) is nominated to the Majority or Minority Leader of the Senate or to the Speaker or the Minority Leader of the House of Representatives by a member of the Senate or the House of Representatives;
- (B) permits a rigorous evaluation by the Office of Technology Assessment of the way in which such individual, organization, institution, or business has demonstrated excellence in promoting United States industrial competitiveness; and
- (C) meets such other requirements as the selection panel determines to be appropriate to achieve the objectives of this section.

**(3) Evaluation**

An evaluation of each nominee shall be conducted by the Office of Technology Assessment. The Office of Technology Assessment shall work with the selection panel to establish appropriate procedures for evaluating nominees.

**(4) Panel review**

The selection panel shall review the Office of Technology Assessment's evaluation of each nominee and may, based on those evaluations, recommend 1 award winner for each year for each category described in subsection (b)(1) of this section to the Majority and Minority Leaders of the Senate and the Speaker and the Minority Leader of the House of Representatives.

**(d) Presentation of award**

**(1) In general**

The Majority and Minority Leaders of the Senate and the Speaker and the Minority Leader of the House of Representatives shall

make the award to an individual and an organization, institution, or business that has demonstrated excellence in promoting United States industrial competitiveness in the international marketplace through technological innovation, productivity improvement, or improved competitive strategies.

**(2) Ceremonies**

The presentation of an award under this section shall be made by the Majority and Minority Leaders of the Senate and the Speaker and the Minority Leader of the House of Representatives, with such ceremonies as they may deem proper.

**(3) Publicity**

An individual, organization, institution, or business to which an award is made under this section may publicize its receipt of such award and use the award in its advertising, but it shall be ineligible to receive another award in the same category for a period of 5 years.

**(e) Publication of evaluations**

**(1) Summary of evaluations**

The Office of Technology Assessment shall ensure that all nominees receive a detailed summary of any evaluation conducted of such nominee under subsection (c) of this section.

**(2) Summary of competitiveness strategy**

The Office of Technology Assessment shall also make available to all nominees and the public a summary of each award winner's competitiveness strategy. Proprietary information shall not be included in any such summary without the consent of the award winner.

**(f) Reimbursement of costs**

The Majority and Minority Leaders of the Senate and the Speaker and the Minority Leader of the House of Representatives are authorized to seek and accept gifts from public and private sources to defray the cost of implementing this section.

(Pub. L. 102-429, title III, §301, Oct. 21, 1992, 106 Stat. 2205.)

**CHAPTER 20—EMERGENCY POWERS TO ELIMINATE BUDGET DEFICITS**

**SUBCHAPTER I—ELIMINATION OF DEFICITS IN EXCESS OF MAXIMUM DEFICIT AMOUNT**

Sec.	
900.	Statement of budget enforcement through sequestration; definitions.
901.	Enforcing discretionary spending limits.
901a.	Repealed.
902.	Enforcing pay-as-you-go.
903.	Enforcing deficit targets.
904.	Reports and orders.
905.	Exempt programs and activities.
906.	General and special sequestration rules.
907.	The baseline.
907a.	Suspension in event of war or low growth.
907b.	Modification of Presidential order.
907c.	Flexibility among defense programs, projects, and activities.
907d.	Special reconciliation process.
908, 909.	Repealed.

**SUBCHAPTER II—OPERATION AND REVIEW**

921.	Transferred.
922.	Judicial review.

SUBCHAPTER I—ELIMINATION OF DEFICITS IN EXCESS OF MAXIMUM DEFICIT AMOUNT

TERMINATION OF SUBCHAPTER

*This subchapter, comprised of part C (§§ 250–258C) of title II of Pub. L. 99–177 and classified to sections 900 to 907d, has expired. Sections 901, 903, and 907c of this title expired Sept. 30, 2002. Sections 900, 902, 904 to 907b, and 907d of this title expired Sept. 30, 2006. See section 275(b) of Pub. L. 99–177, as amended, set out as an Effective and Termination Dates note under section 900 of this title.*

**§ 900. Statement of budget enforcement through sequestration; definitions**

**(a) Omitted**

**(b) General statement of budget enforcement through sequestration**

This subchapter provides for budget enforcement as called for in House Concurrent Resolution 84 (105th Congress, 1st session).

**(c) Definitions**

As used in this subchapter:

(1) The terms “budget authority”, “new budget authority”, “outlays”, and “deficit” have the meanings given to such terms in section 3 of the Congressional Budget and Impoundment Control Act of 1974 [2 U.S.C. 622] and “discretionary spending limit” shall mean the amounts specified in section 901 of this title.

(2) The terms “sequester” and “sequestration” refer to or mean the cancellation of budgetary resources provided by discretionary appropriations or direct spending law.

(3) The term “breach” means, for any fiscal year, the amount (if any) by which new budget authority or outlays for that year (within a category of discretionary appropriations) is above that category’s discretionary spending limit for new budget authority or outlays for that year, as the case may be.

(4)(A) The term “category” means the subsets of discretionary appropriations in section 901(c) of this title. Discretionary appropriations in each of the categories shall be those designated in the joint explanatory statement accompanying the conference report on the Balanced Budget Act of 1997. New accounts or activities shall be categorized only after consultation with the committees<sup>1</sup> on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall, to the extent practicable, include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to new accounts or activities.

(B) The term “highway category” refers to the following budget accounts or portions thereof that are subject to the obligation limitations on contract authority set forth in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users:

- (i) 69–8083–0–7–401 (Federal-Aid Highways).

- (ii) 69–8020–0–7–401 (Highway Traffic Safety Grants).

- (iii) 69–8048–0–7–401 (National Motor Carrier Safety Program).

- (iv) 69–8016–0–7–401 (Operations and Research NHTSA).

- (v) 69–8362–0–7–401 (National Driver Registry).

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

- (vii) 06–8158–0–7–401 (Motor Carrier Safety Grants).

(C) MASS TRANSIT CATEGORY.—The term “mass transit category” means the following budget accounts, or portions of the accounts, that are subject to the obligation limitations on contract authority provided in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or for which appropriations are provided in accordance with authorizations contained in that Act:

- (i) 69–1120–0–1–401 (Administrative Expenses).

- (ii) 69–1134–0–1–401 (Capital Investment Grants).

- (iii) 69–8191–0–7–401 (Discretionary Grants).

- (iv) 69–1129–0–1–401 (Formula Grants).

- (v) 69–1127–0–1–401 (Interstate Transfer Grants—Transit).

- (vi) 69–1125–0–1–401 (Job Access and Reverse Commute).

- (vii) 69–1122–0–1–401 (Miscellaneous Expired Accounts).

- (viii) 69–1121–0–1–401 (Research, Training and Human Resources).

- (ix) 69–8350–0–7–401 (Trust Fund Share of Expenses).

- (x) 69–1137–0–1–401 (Transit Planning and Research).

- (xi) 69–1136–0–1–401 (University Transportation Research).

- (xii) 69–1128–0–1–401 (Washington Metropolitan Area Transit Authority).

(D) SPECIAL RULE.—(i) Any outlays in excess of the discretionary spending limit set forth in section 901(c) of this title for the highway or mass transit category, as adjusted, for the budget year shall be considered nondefense category outlays or discretionary category outlays.

(ii) If the obligation limitations for accounts in the highway or mass transit category provided in an appropriation Act for a fiscal year exceed the obligation limitations set forth in section 8103 of the Transportation Equity Act for the 21st Century for that year, as adjusted, the estimated outlays flowing for each out-year from such excess obligations calculated pursuant to clause (iii) shall be attributed to the discretionary category in that outyear.

(iii) For purposes of clause (ii), outlays from excess obligations shall be determined using the average of the spendout rates for that category in the baseline.

(E) The term “conservation spending category” means discretionary appropriations for conservation activities in the following budget accounts or portions thereof providing appropriations to preserve and protect lands, habi-

<sup>1</sup> So in original. Probably should be capitalized.