

[COMMITTEE PRINT]

113TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ SERIAL No.
CP-2

**BIPARTISAN BUDGET ACT
OF 2013**

C O M M I T T E E P R I N T

OF THE

COMMITTEE ON THE BUDGET

U.S. HOUSE OF REPRESENTATIVES



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Introduction

On December 18, 2013, Congress passed House Joint Resolution 59, which included two Acts: the “Bipartisan Budget Act of 2013” and the “Pathway for SGR Reform Act of 2013”. It was signed by President Barack Obama on December 26, 2013 and became Public Law 113-67. This Committee Print explains and provides background and explanatory information on this law. In doing so, this document primarily concentrates on “The Bipartisan Budget Act of 2013” which can be found in Division A of the Joint Resolution.

The House adopted House Concurrent Resolution 25, the concurrent resolution on the budget for fiscal year 2014, on March 21, 2013. The Senate adopted its version of the budget resolution, Senate Concurrent Resolution 8, on March 23, 2013.

A conference committee on these two concurrent resolutions was agreed to with Senate Concurrent Resolution 8 as the measure on which the two Houses disagreed. Representative Paul Ryan, Chairman of the Committee on the Budget of the House, acted as the Chairman of this conference. He did so by tradition, since each Chairman of the Committee on the Budget of each House alternates as Chair of the Committee of Conference on a budget resolution. The previous time a budget resolution conference was held, Senator Kent Conrad, Chairman of the Committee on the Budget of the Senate, chaired. Senator Patty Murray, Senate Budget Committee Chairman, co-chaired the conference on S. Con. Res. 8.

During the negotiations, Chairman Ryan and Chairman Murray decided to pursue legislation that would make changes in law to modify discretionary caps on spending and to make other reductions in spending. Since this would require changes in existing law, a concurrent resolution would not be appropriate since it is an internal Congressional document, is not signed by the President, and does not become law. It was decided the vehicle to accomplish this would be to use House Joint Resolution 59, originally a spending measure.

Chairman Ryan offered a motion to amend this Joint Resolution on the House floor with the legislative text the two Chairmen had developed on behalf of their respective chambers. Before coming to the floor, though, the Committee on Rules of the House added additional language to the agreement which became Division B of the joint resolution, titled “Pathway for SGR Reform Act of 2013”.

The motion passed and the joint resolution, as amended, was sent to the Senate, where it passed, and then presented to the President who signed it on December 26, 2013.

It was subsequently amended by the “Consolidated Appropriations Act, Fiscal Year 2014” (Public Law 113-76).

Legislative History

During the first session of the 113th Congress, the House and Senate each passed a fiscal year 2014 concurrent resolution on the budget: House Concurrent Resolution 25 and Senate Concurrent Resolution 8, respectively. The House requested a conference on S. Con. Res. 8, the fiscal year 2014 concurrent resolution on the budget, to which the Senate agreed. Representative Paul Ryan (WI) chaired the Committee on the Conference on the budget resolution.

The Conference Committee held two meetings: the first on October 30, 2013 and the second on November 13, 2013.

The Bipartisan Budget Act of 2013 (BBA of 2013) was a House amendment to the Senate amendment to House Joint Resolution 59. This House amendment included legislation establishing a budget resolution for fiscal year 2014, authorized a budget resolution for fiscal year 2015, and made other changes in law.

House Concurrent Resolution 25

On March 13, 2013, the House Committee on the Budget marked up the fiscal year 2014 concurrent resolution on the budget, H. Con. Res. 25. The report accompanying H. Con. Res. 25, House Report 113-17, was filed on March 15, 2013. The House considered H. Con. Res. 25 on March 19 through March 21, 2013. H. Con. Res. 25 passed the House on March 21, 2013, by a vote of 221-207 (Roll No. 88). On March 22, 2013, the House-passed fiscal year 2014 concurrent resolution on the budget was received in the Senate.

On October 16, 2013, Mr. Ryan (WI) asked unanimous consent the House take from the Speaker's table S. Con. Res. 8; adopt an amendment in the nature of a substitute consisting of the text of H. Con. Res. 25, as adopted by the House; adopt such concurrent resolution, as amended; insist on its amendment; and request a conference with the Senate thereon; and during the remainder of the 113th Congress, that it would not be in order to offer a motion under clause 7(c) of rule 22 with respect to S. Con. Res. 8. This unanimous consent request was agreed to without objection. The Speaker then appointed conferees (see Appendix C).

Senate Concurrent Resolution 8

On March 13 and 14, 2013, the Senate Committee on the Budget marked up the fiscal year 2014 concurrent resolution on the budget, S. Con. Res. 8. The Senate Committee on the Budget filed a committee print, S. Prt. 113-12, to accompany S. Con. Res. 8 in March 2013. The Senate considered S. Con. Res. 8 on March 20 through March 23, 2013. S. Con. Res. 8 passed the Senate on March 23, 2013. The resolution was agreed to in the Senate, as amended, by Yea-Nay Vote: 50-49 (Record Vote Number: 92).

On April 15, 2013, the Senate-passed fiscal year 2014 concurrent resolution on the budget was received in the House.

On October 16, 2013, the Senate disagreed to the House amendment to S. Con. Res. 8, agreed to the request for a conference on the fiscal year 2014 concurrent resolution on the budget, and appointed conferees. By Unanimous Consent, the Senate agreed that it would not be in order for the Senate to consider a conference report with respect to H. Con. Res. 25 or S. Con. Res. 8 if it included reconciliation instructions to raise the debt limit.

House Joint Resolution 59

On September 10, 2013, Representative Rogers (KY) introduced House Joint Resolution 59, a continuing appropriations resolution for fiscal year 2014. On September 20, 2013, House Joint Resolution 59 passed the House by recorded vote: 230-189 (Roll No. 478). The Senate then proceeded to consideration of the measure and on September 27, 2013, House Joint Resolution 59 passed the Senate with an amendment by Yea-Nay Vote: 54-44 (Record Vote Number 209). House Joint Resolution 59 was then further considered and amended in the House and subsequently received in the Senate. A motion to table the House amendments to the Senate amendment was then made and agreed to in the Senate.

On September 30, 2013, Mr. Rogers (KY) made a motion that the House recede and concur with an amendment in the Senate amendment. This motion was agreed to by recorded vote: 228-201 (Roll No. 504). A motion to table the House amendment to the Senate amendment was then made and agreed to in the Senate by Yea-Nay Vote: 54-46 (Record Vote Number: 211).

The House Committee on Rules reported a rule making it in order for the House to take House Joint Resolution 59 from the Speaker's table, with the House amendment to the Senate amendment thereto, insist on its amendment, and request a conference with the Senate thereon.

On October 1, 2013, this rule passed the House and the Speaker appointed conferees for the consideration of the Senate amendment and the House amendment and modifications. A motion to table the message from the House with respect to House Joint Resolution 59 was then made and agreed to in the Senate by Yea-Nay Vote: 54-46 (Record Vote Number: 212).

On December 12, 2013, Mr. Ryan (WI) moved the House recede and concur with an amendment to the Senate amendment to House Joint Resolution 59. This amendment comprised the text of the Bipartisan Budget Act of 2013 (BBA of 2013). This motion was agreed to by recorded vote: 332-94 (Roll No. 640). The transcript of debate in the House of Representatives on this motion to recede and concur can be found on pages H8053-H8085 of the Congressional Record (113th Congress).

On December 15, 2013, the measure was laid before the Senate by unanimous consent and Senator Reid made a motion to concur in the House amendment to the Senate amendment.

On December 17, 2013, a cloture motion on the motion to concur in the House amendment to the Senate amendment was agreed to: 67-33 (Record Vote Number: 279). A motion to table Senator Reid's motion to concur with an amendment was then made in the Sen-

ate. This motion to table was rejected by Yea-Nay Vote: 46-54 (Record Vote Number: 280). The Senate then proceeded to the consideration of the BBA of 2013 (the House amendment to the Senate amendment to House Joint Resolution 59).

On December 18, 2013, the Senate agreed to the House amendment to the Senate amendment to House Joint Resolution 59 by Yea-Nay Vote. 64-36 (Record Vote Number: 281). The transcript of debate in the Senate can be found on pages S8816, S8870, S8872-8899, and S8920-8957 of the Congressional Record (113th Congress).

The BBA of 2013 was presented to the President on December 19, 2013, signed by the President on December 26, 2013, and became Public Law 113-67.

H.R. 3547

On November 20, 2013, H.R. 3547 was introduced in the House. A House amendment to the Senate amendments to H.R. 3547 incorporated the text of the Consolidated Appropriations Act for fiscal year 2014. That bill included an amendment to the BBA of 2013 pertaining to military retirement reform.

On January 15, 2014, this House amendment to the Senate amendments was agreed to in the House by the Yeas and Nays: 359-67 (Roll No. 21). The measure was then received in the Senate and laid before the Senate by unanimous consent.

On January 16, 2014, cloture on the motion to concur in the House amendment to the Senate amendment was invoked in the Senate by Yea-Nay Vote: 72-26 (Record Vote Number: 12). The Senate then proceeded to concur in the House amendment to the Senate amendment by Yea-Nay Vote: 72-26 (Record Vote Number: 13).

On January 17, 2014, the Consolidated Appropriations Act for fiscal year 2014 was presented to and signed by the President and became Public Law 113-76.

Section by Section Description

Sec. 1. Short title and table of contents.

Subsection 1(a) provides that the short title of this Division is the “Bipartisan Budget Act of 2013”.

Subsection 1(b) sets forth the table of contents for the Division.

TITLE I—BUDGET ENFORCEMENT

SUBTITLE A—AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.¹

The limits on discretionary spending are established in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA). The limits are subdivided in each fiscal year through 2021 into two categories: revised security category and revised nonsecurity category.

The revised security category is defined to be the National Defense budget function (Function 050) which includes funding for the Department of Defense, the nuclear weapons-related work of the Department of Energy, intelligence-related activities, and the national security elements of the Departments of Commerce, Justice, Homeland Security, and several independent agencies. The Department of Defense (including the intelligence programs) usually receives over 95 percent of the budget authority in this function.

The revised nonsecurity category comprises discretionary spending not contained in the revised security category.

Subsection 101(a) amended section 251(c) of BBEDCA to increase the limits on discretionary spending for fiscal years 2014 and 2015. The revised levels for each category are shown in Table 1.

TABLE 1.—CAPS ON DISCRETIONARY BUDGET AUTHORITY

	Revised security		Revised nonsecurity	
	2014	2015	2014	2015
Current Law	\$498,082,000,000	\$512,046,000,000	\$469,391,000,000	\$483,130,000,000
Revised Cap	\$520,464,000,000	\$521,272,000,000	\$491,773,000,000	\$492,356,000,000

In addition to the limits on discretionary spending, section 251A of BBEDCA also includes a sequester of direct spending, the size of which interacts with the discretionary spending levels.

¹ On February 15, 2014, the President signed into law Public Law 113-82, which among other things extends through 2024 the mandatory sequester under section 251A of the Balanced Budget and Emergency Control Act of 1985.

Subsection 101(b) provides for the implementation of the sequester of direct spending as if the amendments in subsection 101(a) had not been made. The President is required by law to implement the sequester of direct spending ordered on April 10, 2013 (as corrected on May 20, 2013) and the one in the Sequestration Preview Report for Fiscal Year 2015 as if the amendments in subsection 101(a) had not been made.

Subsection 101(c) reduces spending by \$28 billion by requiring the President to sequester the same percentage of direct spending in 2022 and 2023 as will be sequestered in 2021.

Subsection 101(d) makes various conforming changes.

SUBTITLE B—ESTABLISHING A CONGRESSIONAL BUDGET

Sec. 111. Fiscal year 2014 budget resolution.

Subsection 111(a) establishes a congressional budget for fiscal year 2014. It does so by authorizing the Chairman of the Committee on the Budget, Representative Paul Ryan (WI), to submit for publication in the Congressional Record the relevant levels for enforcing the budget resolution as a conference report. These levels are included in this print, and may be found on page H1428 (113th Congress) of the Congressional Record.

Subsection 111(b) requires the Chairmen of the House and Senate Budget Committees to each submit for publication in the Congressional Record the allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels.

These levels are enforceable for fiscal year 2014 as if included in a conference agreement on a budget resolution for that fiscal year. Consistent with the different requirements of the Congressional Budget Act of 1974 in the House and Senate, the Chairman of the Senate Committee on the Budget also published levels of revenues and outlays for Social Security. These levels may be found on page S361 (113th Congress) of the Congressional Record, as well as in Table 10 of this print.

The submissions made pursuant to this section are consistent with the discretionary spending limits established in this Act and the Congressional Budget Office's May 2013 baseline, adjusted for legislation enacted subsequent to the publication of that baseline and adjusted for the budgetary effects of this Act.

In addition, subsection 111(c) provides that in the House, the Chairman of the Budget Committee is authorized to reduce the aggregates, allocations, and other budgetary levels included in the statement required to be submitted pursuant to this section for the subsequent enactment of any additional deficit-reducing legislation during the 113th Congress.

Sec. 112. Limitation on advance appropriations in the Senate.

Section 112 provides that a vote of sixty votes would be required to waive a point of order in the Senate against appropriations in 2014 bills that would first become effective in any year after 2014, and against appropriations in 2015 bills that would first become effective in any year after 2015. It does not apply against appropriations for veterans' medical services, medical support and compli-

ance, or medical facilities, or the Corporation for Public Broadcasting. Additionally, there is an exemption for each of 2015 and 2016 of up to \$28.852 billion for programs identified in the Congressional Record. Those programs are:

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION
APPROPRIATIONS ACT

Employment and Training Administration
Job Corps
Education for the Disadvantaged
School Improvement
Special Education
Career, Technical, and Adult Education

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Payment to Postal Service

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT

Tenant-based Rental Assistance
Project-based Rental Assistance

Subsection 112(b) provides that the provisions of subsection (a) expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

Sec. 113. Rule of construction in the House of Representatives.

Section 113 provides that H. Con. Res. 25 (113th Congress), the budget resolution for fiscal year 2014 as placed in force by H. Res. 243 (113th Congress), remains in force to the extent that its budgetary levels have not been superseded by this subtitle or further action of the House. Items that remain in force include the recommended levels contained in Title III, the reserve funds in Title IV, the estimates of direct spending in Title V, the budget enforcement matters in Title VI, and the policy statements in title VII of that concurrent resolution. This matter will remain in force until the adoption of a subsequent concurrent resolution on the budget or the end of the 113th Congress, unless they are carried into the 114th Congress by an act of the House.

Sec. 114. Additional Senate budget enforcement.

Subsection 114(a) provides for the elimination of any balances on the Senate pay-as-you-go scorecard following enactment of this Act and again for purposes of budget year 2015.

Subsection 114(b) provides for the continuance in effect of certain provisions of the fiscal year 2010 budget resolution relating to the budgetary treatment of certain discretionary expenses of certain off-budget programs; the application and effect of changes in allocations and aggregates; and adjustments to reflect changes in concepts and definitions.

Subsection 114(c) establishes in the Senate only a deficit neutral reserve fund to replace sequestration.

Subsection 114(d) places into effect certain deficit-neutral reserve funds included in S. Con. Res. 8 (113th Congress). Those provisions are listed in table 2.

TABLE 2.—DEFICIT-NEUTRAL RESERVE FUNDS IN THE SENATE

[Section numbers reference S.Con.Res. 8 (113th Congress)]

-
- Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.
- Sec. 303. Deficit-neutral reserve funds to assist working families and children.
- Sec. 304. Deficit-neutral reserve funds for early childhood education.
- Sec. 305. Deficit-neutral reserve fund for tax relief.
- Sec. 306. Reserve fund for tax reform.
- Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
- Sec. 308. Deficit-neutral reserve fund for investments in America's infrastructure.
- Sec. 309. Deficit-neutral reserve fund for America's servicemembers and veterans.
- Sec. 310. Deficit-neutral reserve fund for higher education.
- Sec. 311. Deficit-neutral reserve funds for health care.
- Sec. 312. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
- Sec. 313. Deficit-neutral reserve fund for a farm bill.
- Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.
- Sec. 315. Deficit-neutral reserve fund for pension reform.
- Sec. 316. Deficit-neutral reserve fund for housing finance reform.
- Sec. 317. Deficit-neutral reserve fund for national security.
- Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.
- Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.
- Sec. 320. Deficit-neutral reserve fund for postal reform.
- Sec. 322. Deficit-neutral reserve fund to improve Federal benefit processing.
- Sec. 323. Deficit-neutral reserve fund for legislation to improve voter registration and the voting experience in Federal elections.
- Sec. 324. Deficit-reduction reserve fund to promote corporate tax fairness.
- Sec. 325. Deficit-neutral reserve fund for improving Federal forest management.
- Sec. 326. Deficit-neutral reserve fund for financial transparency.
- Sec. 327. Deficit-neutral reserve fund to promote manufacturing in the United States.
- Sec. 328. Deficit-reduction reserve fund for report elimination or modification.
- Sec. 329. Deficit-neutral reserve fund for the minimum wage.
- Sec. 330. Deficit-neutral reserve fund to improve health outcomes and lower costs for children in Medicaid.
- Sec. 331. Deficit-neutral reserve fund to improve Federal workforce development, job training, and reemployment programs.
- Sec. 332. Deficit-neutral reserve fund for repeal of medical device tax.
- Sec. 333. Deficit-neutral reserve fund prohibiting Medicare vouchers.
- Sec. 334. Deficit-neutral reserve fund for equal pay for equal work.
- Sec. 335. Deficit-neutral reserve fund relating to women's health care.
- Sec. 338. Deficit-neutral reserve fund to allow States to enforce State and local use tax laws.
- Sec. 339. Deficit-neutral reserve fund relating to the definition of full-time employee.
- Sec. 340. Deficit-neutral reserve fund relating to the labeling of genetically engineered fish.
- Sec. 341. Deficit-neutral reserve fund for the families of America's servicemembers and veterans.
- Sec. 344. Deficit-neutral reserve fund for disabled veterans and their survivors.
- Sec. 348. Deficit-neutral reserve fund relating to authorizing children eligible for health care under laws administered by Secretary of Veterans Affairs to retain such eligibility until age 26.
- Sec. 349. Deficit-neutral reserve fund for State and local law enforcement.
- Sec. 350. Deficit-neutral reserve fund to establish a national network for manufacturing innovation.
- Sec. 353. Deficit-neutral reserve fund to ensure no financial institution is above the law regardless of size.
- Sec. 354. Deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss.
- Sec. 356. Deficit-neutral reserve fund for BARDA and the BioShield Special Reserve Fund.
- Sec. 361. Deficit-neutral reserve fund for export promotion.
- Sec. 363. Deficit-neutral reserve fund to increase the capacity of agencies to ensure effective contract management and contract oversight.
- Sec. 364. Deficit-neutral reserve fund for investments in air traffic control services.
- Sec. 365. Deficit-neutral reserve fund to address prescription drug abuse in the United States.
- Sec. 366. Deficit-neutral reserve fund to support rural schools and districts.
- Sec. 367. Deficit-neutral reserve fund to strengthen enforcement of free trade agreement provisions relating to textile and apparel articles.
- Sec. 368. Deficit-neutral reserve fund to assist low-income seniors.
- Sec. 369. Reserve fund to end offshore tax abuses by large corporations.
- Sec. 371. Deficit-neutral reserve fund relating to increasing funding for the inland waterways system.
- Sec. 376. Deficit-neutral reserve fund to authorize provision of per diem payments for provision of services to dependents of homeless veterans under laws administered by Secretary of Veterans Affairs.
- Sec. 378. Deficit-neutral reserve fund to phase-in any changes to individual or corporate tax systems.
- Sec. 379. Deficit-neutral reserve fund relating to increases in aid for tribal education programs under the Constitution of the United States.
- Sec. 383. Deficit-neutral reserve fund to increase funding for Federal investments in biomedical research.
-

Subsection 114(e) provides that subsections (a)(2), (c), and (d) shall expire if a budget resolution conference report is adopted by the Senate and the House.

Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.

Subsection 115(a) authorizes in the House a congressional budget for fiscal year 2015 in the event that a budget resolution conference report is not adopted.

Subsection 115(b) provides that the chair of the House Committee on the Budget will submit after April 15 but no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 115(c) provides that the submission pursuant to subsection (b) may also include for fiscal year 2015, provisions for the matters contained in title IV (reserve funds) and in sections 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated to cover the new budget window, including updated amounts for section 601 (advance appropriations).

Subsection 115(d) provides for an allocation of budgetary resources to the Appropriations Committee no later than May 15, 2014 if the May 15 date required by the above subsection (b) has not been met.

Subsection 115(e) allows the Chairman of the House Budget Committee to reduce the aggregates, allocations, and other budgetary levels included in the statement required to be submitted under subsection (b) for the subsequent enactment of any additional, deficit-reducing legislation during the 113th Congress or as otherwise necessary.

Subsection 115(f) provides that the provisions of subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the House and the Senate.

Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.

Subsection 116(a) authorizes in the Senate a congressional budget for fiscal year 2015.

Subsection 116(b) provides that the chair of the Senate Committee on the Budget will submit after April 15 and no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee, aggregate spending and revenue levels, and levels of revenues and outlays for Social Security that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 116(c) provides that the submission pursuant to subsection (b) may also include reserve funds for fiscal year 2015 that are the same as those included in section 114(c) and (d) updated to cover the new budget window.

Subsection 116(d) provides that the filing referred to in subsection (b) for fiscal year 2014 will supersede the statement referred to in section 111(b).

Subsection 116(e) provides that this section will expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

Sec. 117. Exclusion of savings from PAYGO scorecards.

Subsection 117(a) provided that the budgetary effects of this Act will not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139).

Subsection 117(b) provided that the budgetary effects of this Act will not be entered on any PAYGO scorecard maintained for the purposes of section 201 of S. Con. Res. 21 (110th Congress).

Sec. 118. Exercise of rulemaking powers.

This section states that the provisions of this subtitle are enacted as an exercise of the rulemaking power of each house of Congress and that each house retains its constitutional right to change such rules as they relate to that house.

SUBTITLE C—TECHNICAL CORRECTIONS

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.

This section corrects technical and grammatical errors in the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

This section corrects technical and grammatical errors in the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

Sec. 201. Improving the collection of unemployment insurance overpayments.

Many states used the Treasury Offset Program (TOP) to recover Unemployment Insurance (UI) debts stemming from overpayments due to fraud or failure to report earnings. However, other states are not using this tool. Section 201 amended the Social Security Act to require states to use TOP to recover the specified UI debts. States are still required to provide due process opportunities for individuals to challenge the validity of the debt, before seeking to recover the funds through TOP. This section ensures that all states will participate in TOP leading to more recovery of UI debts.

Sec. 202. Strengthening Medicaid Third-Party Liability.

By law, Medicaid is the payer of last resort for medical treatment. Section 202 affirms Medicaid's position as the payer of last resort by strengthening third-party liability to improve states' and providers' abilities to receive payments for beneficiary services, as appropriate.

Subsection 202(a) allows states to delay payment of costs for prenatal and preventive pediatric claims when third parties are responsible and allows states to collect medical child support where health insurance is available from a non-custodial parent. This au-

thorization is limited to the extent that beneficiary access to care is not negatively impacted.

Subsection 202(b) allows Medicaid to recover costs from beneficiary liability settlements. Subsection 202(c) provides that these amendments shall take effect on October 1, 2014.

Sec. 203. Restriction on access to the death master file.

The Death Master File (DMF) is a list of deceased individuals maintained by the Social Security Administration (SSA). The DMF contains the full name, Social Security Number, date of birth, and date of death for listed decedents, and it is updated weekly. This information is distributed through the Department of Commerce and is widely available on many websites for free or for a nominal fee.

Section 203 establishes a program under which the Secretary of Commerce restricts access to the information contained on the DMF for a three-year period beginning on the date of the individual's death, except to persons who are certified under a program to be established by the Secretary of Commerce. Under the program, persons who have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under safeguards similar to those required of Federal agencies that receive return information, as described in section 6103(p)(4) of title 26 of the United States Code, may apply for certification. The Secretary of Commerce reviews the eligibility of applicants, examines safeguards for protecting the information and conducts audits of certified entities to assure compliance with safeguards.

As part of implementation of the required program, the Secretary of Commerce is required to establish and collect user fees sufficient to recover all costs associated with the certification program. The Secretary of Commerce is required to report both the total fees collected and the total costs of administering the certification program. The required report is to be submitted annually to both the Senate Committee on Finance and the House Committee on Ways and Means.

A penalty of \$1,000 for each disclosure or misuse of the information is imposed on any persons who improperly disclose the DMF information. A certified person in receipt of DMF information is responsible for any subsequent disclosure of such information. Even if the initial disclosure to a third party is appropriate, if that third party subsequently improperly discloses the information, the certified person is deemed to have also improperly disclosed the information.

Thus, in a case in which the improper disclosure is made by a third party who received the information from a certified person, both the certified person and the person who improperly disclosed the information are subject to the penalty. The penalty may not exceed \$250,000 per person for any calendar year, except in the case of willful disclosure. In such cases, the penalty is not limited.

The provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

Section 203 is effective 90 days after the date of enactment, except for the FOIA exemption, which is now effective.

Sec. 204. Identification of inmates requesting or receiving improper payments.

The Social Security Administration's (SSA) Prisoner Update Processing System (PUPS) contains all identifying information requested by the SSA and supplied by a reporting source, including the individual's name, Social Security number, date of birth, sex, date of conviction, date of confinement, inmate status code, and such other information as may be supplied or acquired by SSA during the suspension or reinstatement of retirement, survivors, or disability insurance benefits. PUPS contains Federal, State, and local prisoner data.

Subsection 204(a) expands the information the prisons are required to report to SSA to include release dates, making the system more valuable to users.

Subsection 204(b) authorizes the Commissioner of Social Security to transfer PUPS data to the Department of the Treasury on a regular basis, where it will be maintained for use by other Federal agencies. The PUPS data will help prevent prisoners from illegally receiving payments, such as unemployment compensation from the Department of Labor, and identify individuals who are filing fraudulent tax returns. This subsection also authorizes the use of PUPS data for research conducted by Federal and state agencies.

Subsection 204(c) updated the authorizing legislation for the Do Not Pay Initiative to include a requirement for agencies to query PUPS prior to certifying a Federal payment or award.

TITLE III—NATURAL RESOURCES

Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.

The ultra-deepwater and unconventional natural gas and other petroleum resources program, which was created by the Energy Policy Act of 2005, is a public-private partnership that was designed to develop technologies to increase America's domestic oil and gas production and reduce U.S. dependency on foreign imports. The program utilizes a non-profit consortium to manage the research, established two federal advisory committees, and receives \$50 million per year of funding. Section 301 repealed the ultra-deepwater oil and gas research and development program and rescinded the program's remaining funds.

Sec. 302. Amendment to the Mineral Leasing Act.

Since 2010, states receiving significant payments from mineral development on Federal lands also share in the costs of administering the Federal mineral leases from which the revenue is generated. The states pay their share of the administrative costs in the form of a 2 percent deduction of monies paid to the states by the federal government. This deduction was scheduled to expire at the end fiscal year 2014. Section 302 made this deduction permanent.

Sec. 303. Approval of agreement with Mexico.

Section 303 approved the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico signed in February 2012 on how to explore, develop, and share revenue from hydrocarbon reservoirs that cross the international maritime boundary between the United States and Mexico in the Gulf of Mexico. Each country's legislative body is required to approve the agreement and Mexico ratified the agreement in April 2012.

Sec. 304. Amendment to the Outer Continental Shelf Lands Act.

Section 304 provided permanent authority for the Secretary of the Interior to implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. It requires any such agreement to be submitted to Congress within 180 days of any such agreement being completed. This section also allows the Secretary of the Interior to implement the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico. The Obama Administration signed the Agreement with Mexico in 2012 to develop energy resources bridging our international maritime boundary and that Agreement makes provision for the sharing of royalties on transboundary reservoirs, and also has very specific requirements on maintaining data confidentiality.

Sec. 305. Federal oil and gas royalty prepayment cap.

Subsection 305(a) clarifies current law by providing that if a federal lease holder pays more in royalties than the amount due, then the Secretary of the Interior shall not pay interest on any amount in excess of 110 percent of the amount due. Overpayments below the threshold continue to receive interest payments and underpayments continue to be subject to penalties. Subsection 305(b) provides that this provision is effective on July 1, 2014.

Sec. 306. Strategic Petroleum Reserve.

Subsection 306(a) prohibits the Secretary of Energy from acquiring crude oil received by the United States as payment of royalties on production from federal lands due from private sector energy producers—a practice commonly referred to as royalty-in-kind payments—for the purpose of filling the Strategic Petroleum Reserve. This section also made a technical correction by prohibiting the Secretary of Energy from acquiring crude oil produced by the federal government on federal land for the purpose of filling the Strategic Petroleum Reserve, as this practice no longer occurred. The practical effect of this section is to require that any crude oil acquired by the Secretary of Energy for purposes of filling the Strategic Petroleum Reserve is acquired using funds from the “SPR Petroleum Account” or funds appropriated by Congress.

Subsection 306(b) permanently rescinded any unobligated funds remaining in the “SPR Petroleum Account” as of the date of enactment of this legislation. This section has no bearing on any future funds deposited into the account. All future funds deposited into

the account will remain available to the Secretary of Energy, until expended, to fill the Strategic Petroleum Reserve. Funds currently in the account were deposited as a result of the 30.64 million barrels released from the Strategic Petroleum Reserve and sold in July and August of 2011.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

Sec. 401. Increase in contributions to Federal Employees' Retirement System for new employees.

Prior to the enactment of this Act, the typical revised annuity federal employee who participates in the Federal Employee Retirement System (FERS) was required to pay 3.1 percentage points of pay into the Civil Service Retirement and Disability Fund (CSRDF). Depending on the type of service, different employees are required to pay different amounts. Law enforcement officers, nuclear materials couriers and customs and border protection officers pay 3.6 percentage points.

Subsection 401(a) creates a new category of employees that are considered further revised annuity employees.

Subsection 401(b) requires that newly hired employees who participate in the FERS contribute an additional 1.3 percentage points of pay that began on January 1, 2014, for a total of 4.4 percentage points into the CSRDF. Other categories of employees pay 4.9 percentage points.

Subsection 401(c) requires employing agencies continue their contributions at the current level in order to pay down the deficit in the CSRDF, which at the close of fiscal year 2011 was \$761 billion. Once the unfunded liability is eliminated, agency contributions will be determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the CSRDF on an accrual basis.

Subsection 401(d) ensures that certain (Members of Congress and Congressional employees) further revised annuity employees will continue to accrue benefits at the same rate as revised annuity employees.

Sec. 402. Foreign Service Pension System.

Prior to the enactment of this Act, the typical revised annuity federal employee who participates in the Foreign Service Retirement and Disability System was required to pay 3.65 percentage points of pay into the Foreign Service Pension System.

Subsection 402(a) creates a new category of foreign service employees that are considered further revised annuity employees.

Section 402(b) requires that newly hired employees who participate in the Foreign Service Retirement and Disability System (FSRDF) and the Foreign Service Pension System contribute an additional 1.3 percentage points of pay.

Subsection 402(c) requires employing agencies continue their contributions at the current level in order to pay down the deficit in the FSRDF. Once the unfunded liability is eliminated, agency contributions are determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the FSRDF on an accrual basis.

*Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.*²

Generally, service members who have completed 20 years of service, regardless of age, are eligible for non-disability retirement with immediate commencement of retired pay. For most retirees, pay is a percentage of the highest 36 months of the service member's Basic Pay. A service member who retires after 20 years of service receives 50 percent of his or her High-36 month Basic Pay with the percentage increasing in 2.5 percent increments for each year above 20. Because service members can retire well before the normal retirement age in the private sector, most service members begin a second career after leaving the military. Section 403 provides for an annual cost of living adjustment (COLA) of inflation (measured by the Consumer Price Index) less one percentage point for adjustments starting on December 1, 2015 until the retiree reaches age 62. There is no alteration to the 2014 COLA. At age 62, the retired pay is adjusted as if the COLA had been the full CPI adjustment in all previous years. Annual COLAs for service members after age 62 are at the full CPI.

This provision does not change the cost of living adjustments for participants in the REDUX retirement system.

TITLE V—HIGHER EDUCATION

Sec. 501. Default reduction program.

Prior to the enactment of this Act, when guaranty agencies rehabilitated defaulted loans from the Federal Family Education Loan (FFEL) program, they charged borrowers 18.5 percent of the outstanding principal and interest owed on the loan at the time of sale and retained 18.5 percent of a federal default reinsurance payment. Section 501 lowers the maximum borrower collection fee to 16 percent and requires the agency to return 100 percent of the federal default reinsurance payment, beginning on July 1, 2014. Moreover, it enables guaranty agencies to transfer rehabilitated loans to the Department of Education if they are unable to find a FFEL lender to purchase the loan. These steps make the compensation earned by guaranty agencies comparable to the compensation earned by the Department of Education's private sector contractors that rehabilitate defaulted FFEL and Direct Loan program loans held by the Department. It also lowers costs to borrowers as collection fees are typically added to the loan balance when rehabilitated.

Sec. 502. Elimination of nonprofit servicing contracts.

In 2010, as part of the Health Care and Education Reconciliation Act (HCERA), Congress eliminated the guaranteed student loan program. Anticipating the need for increased student loan servicing capacity, in 2009, the Department of Education awarded perform-

²This section was amended by section 10001 of Division C of the Consolidated Appropriations Act, 2014 (Public Law 113-76). A description of section 10001 and the relevant legislative text can be found on pages 25 and 257 of this Committee Print, respectively. On February 15, 2014, the President signed into law Public Law 113-82, which among other things provides that the changes made in section 403 of the Bipartisan Budget Act of 2013 apply only to those service members who first became members on or after January 1, 2014.

ance-based contracts to four entities to service its portfolio of federal student loans, including those made under the Direct Loan program. During debate of HCERA, Congress established a special carve-out for non-profit firms to service student loans. The law required the Department to award at least 100,000 borrower loan accounts to each eligible non-profit servicer, and the law set aside mandatory funding for this purpose. In contrast, the for-profit servicers selected by the Department of Education on a performance basis were, and continue to be, paid with discretionary dollars. Section 502 eliminated the carve-out for non-profit servicers and requires them to be paid with discretionary dollars. See Appendix A for explanation of Congressional intent related to the impact of this section.

TITLE VI—TRANSPORTATION

Sec. 601. Aviation security service fees.

Prior to September 11, 2001, airlines paid for and carried out passenger and baggage security screening. With the formation of the Transportation Security Administration (TSA) came a mandate to substantially increase and coordinate aviation security procedures, and TSA screeners were deployed to airports across the country. To offset the cost of aviation security operations, the Aviation and Transportation Security Act instituted aviation passenger security fees, which were to cover the costs of security operations including technology, salaries and benefits of screeners, the air marshals program, Federal Security Managers, capital improvements, and other functions. TSA receives approximately \$2 billion a year in offsetting collections under current law through air carrier and aviation passenger security fees. These fees cover about 30 percent of the agency's aviation security costs.

The aviation passenger security fee was initially established at a charge of \$2.50 per enplanement with a maximum one-way trip fee of \$5.00 (a passenger taking a non-stop flight paid a total of \$2.50, while a passenger with at least one connecting flight paid \$5.00).

Section 601 simplifies the fee structure to a flat, \$5.60 fee per one-way trip, regardless of the number of enplanements. It also eliminates the Aviation Infrastructure Security Fee (ASIF) charged to air carriers. This fee structure allows TSA to offset approximately 43 percent of its aviation security costs.

Section 601(a) repeals the ASIF that is currently imposed on air carriers, effective October 1, 2014.

Section 601(b) restructured the aviation passenger security fee to make it a \$5.60 per one-way trip charge, which is \$.60 above the current maximum fee.

Section 601(c) requires receipts in excess of the \$250,000,000 deposited annually into the Aviation Security Capital Fund be deposited in the general fund of the Treasury to partially defray the cost to the taxpayer of providing these services.

Section 601(d) provides that the fee structure shall be changed effective July 1, 2014.

Section 601(e) provides that nothing in this section effects the availability of funds in the Checkpoint Screening Security Fund.

Sec. 602. Transportation cost reimbursement.

U.S. agencies are required to transport 50 percent of equipment, materials, and commodities shipped to foreign countries on vessels registered in the U.S., which is generally more expensive than foreign flag shipping. Food aid sent by the Department of Agriculture (USDA) and the U.S. Agency for International Development (USAID) to foreign countries is not exempt from this requirement, making this international assistance more costly than it would otherwise be. When shipping expenses for food aid exceed 20 percent of total program cost (the value of commodities plus shipping expenses) in a given fiscal year, the Maritime Administration (MARAD) must reimburse USDA and USAID by the dollar amount above 20 percent. Section 602 eliminates the reimbursements from MARAD.

Sec. 603. Sterile areas at airports.

The Transportation Security Administration (TSA) screens airline passengers when they enter the secured boarding area (officially, “sterile area”) of all airports and monitors passengers as they exit from the secured boarding area at some airports. Funding for this activity is provided in part by security fees charged to passengers and air carriers. Earlier this year, TSA announced that, beginning in January 2014, all airport operators will be responsible for monitoring all passengers as they leave sterile areas. This responsibility imposed new cost on some airports. Section 603 requires TSA to continue monitoring airport exit lanes at airports currently receiving this service.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Extension of customs user fees.

Section 701 extends the user fees collected by the Department of Homeland Security’s Bureau of Customs and Border Protection (CBP) through 2023. There are nine different conveyance and passenger user fees and a merchandise processing fee collected by the CBP. The conveyance and passenger user fees were first established by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. Prior to the enactment of this Act, customs user fees would have expired after 2021.

Sec. 702. Limitation on allowable government contractor compensation costs.

Since the 1990s, federal law has placed a limit on the amount of contractor employees’ compensation costs that is allowed to be charged on federal government contracts. Compensation costs can include many elements, such as salary, bonuses, stock options, and employer contributions to pension plans, although under federal law and the Federal Acquisition Regulation (FAR), contractors are only allowed to charge some elements of compensation to federal government contracts. This cap, currently set at \$952,308, has increased in real terms by 95 percent since this approach was first used in 1998. The formula used by the Office of Federal Procurement Policy before the enactment of this Act was flawed, as it resulted in an escalation of \$611,658, or nearly 180 percent (in nomi-

nal terms), in the 15 years following the year in which the compensation cap was established in law.

Subsection 702(a) amended section 4304(a)(16) of title 41 United States Code, and section 2324(e)(1)(P) of title 10, United States Code, by replacing the statutory benchmark compensation formula used to determine the amount of contractor compensation considered an allowable cost for a federal contract, with a cap of \$487,000. It also limited additional changes to this level to the U.S. Bureau of Labor Statistics Employment Cost Index for all workers. This subsection also provided for one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

Subsection 702(b) repealed the authority of the Office of Management and Budget to annually determine the allowable compensation costs.

Subsection 702(c) requires the limitation in subsection (a) to only apply to contracts entered into on or after 180 days after the enactment of this Act.

Subsection 702(d) requires the Director of the Office of Management and Budget to report annually to Congress on the use of the statutory exceptions to the limitation in subsection (a).

Subsection 702(e) requires a report from the Secretary of Defense and the Director of the Office of Management and Budget on alternative benchmarks and industry standards for compensation.

Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.

The Pension Benefit Guaranty Corporation (PBGC) consists of two insurance programs: one for multiemployers and the other for single employers. These two programs protect the defined-benefit pensions of nearly 44 million participants. Since fiscal year 2002, PBGC has ended each fiscal year with a deficit. PBGC faces a \$36 billion deficit, which may leave the Corporation incapable of fulfilling its insurance obligations, resulting in cuts to benefits or lead to a transfer from the General Fund of the Treasury. Changes in this section apply to the single employer insurance program.

Each sponsor of a pension plan insured by PBGC's single employer insurance program pays annual premiums. PBGC collects three types of premiums: (1) a flat-rate, per participant premium, (2) a variable-rate premium, based on the dollar amount of a plan's underfunding, and (3) a per-participant premium, payable for three years after a defined-benefit pension plan terminates.

Before the enactment of this Act, the flat-rate premium of \$42 per participant would have increased to \$49 in 2014 and increased with the growth in wages thereafter. Plans that do not have enough assets set aside to pay 100 percent of the promised benefits are considered underfunded. The sponsors of underfunded defined-benefit plans pay the variable-rate annual premium of \$9 per \$1,000 of underfunding. Beginning in 2014, the variable-rate premium would have been indexed to increase by the average wage index. Plans that terminate their defined-benefit pension plans under certain conditions are liable for a termination premium of \$1,250 per plan participant per year for three years.

Section 703 increased both flat-rate premiums and variable-rate premiums to reduce the deficit of the PBGC.

Subsection 703(a) increased the flat-rate premium to \$57 for plan year 2015 and to \$64 for plan year 2016.

Subsection 703(b) indexed the flat-rate premiums to the growth in wages after plan year 2016.

Subsection 703(c) increased the variable-rate premium by \$5 in plan year 2015 and an additional \$5 in plan year 2016.

Subsection 703(d) made conforming changes ensuring the variable-rate premiums would then be indexed to the growth in wages after plan year 2016. This subsection also increased the variable-rate premium cap to \$500 beginning for plan years beginning after 2015.

Subsection 703(e) requires these provisions be effective for plan years beginning after December 31, 2013.

Sec. 704. Cancellation of unobligated balances.

The Department of Justice Asset Forfeiture Fund was established by the Comprehensive Crime Control Act of 1984 (Public Law 98-473) to seize and collect the proceeds of criminal activities. The fund uses the proceeds of forfeited assets—through a permanent, indefinite appropriation—to cover the costs of carrying out forfeiture activities. Annual Fund receipts are usually in excess of program needs, resulting in a large unobligated balance from year to year. A renewed emphasis on fraud and financial crime cases resulted in average annual outlays of nearly \$1.5 billion since 2007, with collections during that time ranging from \$1.6 billion in 2007 to \$4.2 billion in 2012.

Subsection 704(a) permanently canceled \$693 million of this balance.

The Treasury Forfeiture Fund (TFF) supports participating Treasury Department and Homeland Security agencies in the use of asset forfeiture to disrupt and dismantle criminal enterprises and deter criminal activity. The focus of the TFF program is customs enforcement, whereas the Department of Justice Asset Forfeiture Fund specifically combats money laundering and fraud. The TFF collects cash and the proceeds of property forfeited pursuant to customs laws. TFF funds are available to cover costs related to seizures and forfeitures and certain other law enforcement activities. Annual TFF receipts are usually in excess of program needs, resulting in large unobligated balances from year to year. Program outlays have been about 70 percent of program receipts and collections over the past 5 years.

Subsection 704(b) permanently canceled \$867 million of these balances.

Sec. 705. Conservation planning technical assistance user fees.

The Department of Agriculture's Natural Resources Conservation Service (NRCS) provides technical assistance for the development of individualized, site-specific conservation plans and the establishment of measures to conserve soil and water, including farm irrigation, flood prevention, and agricultural pollution control. The technical assistance provided to agricultural landowners and operators

varies depending upon the complexity of the soil or water conservation resource concern.

Subsection 705(a) authorizes NRCS to prescribe and collect fees of up to \$150 per conservation plan to cover some of the costs of providing technical assistance for completing a conservation plan for a producer or landowner. This section authorizes the Secretary of Agriculture to waive fees for assistance provided to members of historically underserved groups, such as beginning farmers or ranchers, limited resource farmers or ranchers, and socially disadvantaged farmers or ranchers. Fees also could be waived by the Secretary for assistance provided to USDA program participants seeking to maintain payment eligibility under Section 1212 of the Food Security Act of 1985, or to comply with local, state, or Federal regulatory requirements.

Subsection 705(b) establishes a Conservation Technical Assistance Fund to receive the fees authorized in subsection (a). Monies deposited in the fund are available only pursuant to future appropriations.

Sec. 706. Self plus one coverage.

The law governing the Federal Employees Health Benefits Program (FEHBP), as originally enacted in 1959, only allows for employees to enroll as individuals (“self only”) or as a family (“self and family”). Section 706 modernizes the FEHBP to include a “self plus one” enrollment tier. This section aligns the FEHB Program with the commercial market and serves to spread costs across different enrollment types.

DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

Sec. 1001. Short title; table of contents.

Subsection 1001(a) provides that the short title of this Division is the “Pathway for SGR Reform Act of 2013”.

Subsection 1001(b) sets forth the table of contents for the Division.

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TITLE II—OTHER HEALTH PROVISIONS

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Sec. 1205. Realignment of the Medicare sequester for fiscal year 2023.

This section further amends the direct spending sequester in section 101(d)(2)(C) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, extended to fiscal years 2022 and 2023 by section 101(c) of the Bipartisan Budget Act of 2013, Division A of this Act. The section increases the amount of the sequester for the first six months of fiscal year 2023 to 2.90

percent and decreases it to 1.11 percent for the second six months of that fiscal year.

* * * * *

Section by Section Description

The Consolidated Appropriations Act for fiscal year 2014, Public Law 113-76, as enacted, has several short titles. This section by section concentrates on Division C, the Department of Defense Appropriations Act, 2014, which included a provision that amended section 403 of the Bipartisan Budget Act of 2013.

Sec. 1. Short Title.

This section establishes the short title of this Act as the “Consolidated Appropriations Act, 2014”.

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DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

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TITLE X—MILITARY DISABILITY RETIREMENT AND SURVIVOR BENEFIT ANNUITY RESTORATION

Sec. 10001. Inapplicability of annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 to members retired for disability and to retired pay used to compute certain survivor benefit plan annuities.

Section 10001(a) amends 10 U.S.C. 1401a (as amended by the Bipartisan Budget Act) to exempt Chapter 61 retirees and Survivors Benefit Plan annuitants from the reduced cost-of-living adjustment for retirees under age 62 that will go into effect with the December 2015 COLA pursuant to section 403 of the Bipartisan Budget Act.

Section 10001(b) clarifies that the reduced cost-of-living adjustment for retirees under age 62 shall not have the effect of reducing Combat-Related Special Compensation or concurrent receipt of VA disability compensation. It also clarifies that the reduced COLA cannot cause a pay inversion.

Section 10001(c) provides that this provision takes effect on December 1, 2015, when the Bipartisan Budget Act changes become effective.

Section 10001(d) provides that the budgetary effects of this change (\$573 million in increased spending over 10 years) not be entered onto the pay-as-you-go scorecards. This provision is a correction to the Bipartisan Budget Act of 2013, the budgetary effects of which were not entered onto the scorecards. Therefore to main-

tain consistent treatment, this provision is accorded the same treatment with respect to the PAYGO scorecards.

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Tables

House Tables

Chairman Ryan (WI) submitted the following statement of committee allocations, aggregates, and other budgetary levels for fiscal year 2014 for the Congressional Record as required by section 111 of the Bipartisan Budget Act of 2013. This statement can be found on pages H1428-1429 of the Congressional Record (113th Congress).

Publication of Budgetary Material—(House of Representatives—January 27, 2014)

AGGREGATES, ALLOCATIONS, AND OTHER BUDGETARY LEVELS OF THE FISCAL YEAR 2014 BUDGET RESOLUTION

Mr. RYAN of Wisconsin: Mr. Speaker, section 111 of the Bipartisan Budget Act of 2013, Public Law No: 113-67, which established a concurrent resolution on the budget for fiscal year 2014, requires the chairs of the House and Senate Budget Committees to submit for printing in the Congressional Record committee allocations, aggregates, and other budgetary levels for fiscal year 2014.

Pursuant to section 111 of the Bipartisan Budget Act of 2013, I hereby submit for printing in the Congressional Record: (1) an allocation for fiscal year 2014 for the House Committee on Appropriations, (2) allocations for fiscal years 2014 and 2014 through 2023 for committees other than the Committee on Appropriations, (3) aggregate spending levels for fiscal year 2014, and (4) aggregate revenue levels for fiscal years 2014 and 2014 through 2023.

In the case of allocations for committees other than the Committee on Appropriations and for the revenue aggregates, the levels shall be set consistent with the Congressional Budget Office's May 2013 baseline, adjusted to account for the budgetary effects of the Bipartisan Budget Act of 2013 and other legislation enacted since the release of the May 2013 baseline. In other words, in these instances, the new allocations and levels are set equal to the updated May baseline.

Associated tables are attached. These committee allocations, aggregates, and other budgetary levels are made for the purposes of enforcing titles III and IV of the Congressional Budget Act of 1974, and other budgetary enforcement provisions.

If there are any questions on these committee allocations, aggregates, and other budgetary levels please contact Paul Restuccia, Chief Counsel of the Budget Committee, at 202-226-7270.

Sincerely,

PAUL D. RYAN of Wisconsin, *Chairman,*
House Budget Committee.

TABLE 3.—FISCAL YEAR 2014 BUDGET TOTALS

[On-budget amounts in millions of dollars]

	Fiscal year 2014	Fiscal years 2014–2023
Appropriate Level:		
Budget Authority	2,924,837	n.a.
Outlays	2,937,044	n.a.
Revenues	2,311,026	31,095,742

n.a. = Not applicable because annual appropriations acts for fiscal years 2015 through 2023 will not be considered until future sessions of Congress.

TABLE 4.—ALLOCATION OF SPENDING AUTHORITY TO THE HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars]

	2014
Base Discretionary Action:	
BA	1,012,237
OT	1,154,816
Global War on Terrorism:	
BA	91,938
OT	45,207
Disaster Designated Funds	
BA	5,626
OT	281
Program Integrity	
BA	924
OT	832
Total Discretionary	
BA	1,110,725
OT	1,201,136
Current Law Mandatory:	
BA	749,400
OT	738,140

TABLE 5.—SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES

[On-budget amounts in millions of dollars]

	2014	2014–2023
Agriculture:		
May 2013 Baseline:		
BA	92,956	906,903
OT	89,341	900,800
Adjustment for Enacted Legislation:		
BA	– 59	– 770
OT	– 59	– 770
Total:		
BA	92,897	906,133
OT	89,282	900,030
Armed Services:		
May 2013 Baseline:		
BA	150,138	1,764,863
OT	149,922	1,768,772
Adjustment for Enacted Legislation:		
BA	87	– 7,607
OT	89	– 7,566
Total:		
BA	150,225	1,757,256
OT	150,011	1,761,206
Financial Services:		
May 2013 Baseline:		
BA	12,981	114,942
OT	2,112	– 57,397
Adjustment for Enacted Legislation:		
BA	0	0
OT	0	0
Total:		
BA	12,981	114,942
OT	2,112	– 57,397
Education & Workforce:		
May 2013 Baseline:		
BA	– 25,740	– 661
OT	– 18,800	2,383
Adjustment for Enacted Legislation:		
BA	12,003	– 21,885

TABLE 5.—SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued
 [On-budget amounts in millions of dollars]

	2014	2014–2023
OT	10,453	– 21,790
Total:		
BA	– 13,737	– 22,546
OT	– 8,347	– 19,407
Energy & Commerce:		
May 2013 Baseline:		
BA	356,892	4,936,804
OT	354,784	4,935,838
Adjustment for Enacted Legislation:		
BA	1,242	– 9,326
OT	3,933	– 9,319
Total:		
BA	358,134	4,927,478
OT	358,717	4,926,519
Foreign Affairs:		
May 2013 Baseline:		
BA	29,118	241,385
OT	26,085	235,012
Adjustment for Enacted Legislation:		
BA	2	20
OT	2	20
Total:		
BA	29,120	241,405
OT	26,087	235,032
Oversight & Government Reform:		
May 2013 Baseline:		
BA	102,657	1,199,434
OT	99,645	1,170,525
Adjustment for Enacted Legislation:		
BA	0	– 2,861
OT	0	– 2,861
Total:		
BA	102,657	1,196,573
OT	99,645	1,167,664
Homeland Security:		
May 2013 Baseline:		
BA	1,916	22,255
OT	1,779	22,321
Adjustment for Enacted Legislation:		
BA	– 390	– 12,630
OT	– 390	– 12,630
Total:		
BA	1,526	9,625
OT	1,389	9,691
House Administration:		
May 2013 Baseline:		
BA	40	371
OT	6	206
Adjustment for Enacted Legislation:		
BA	0	0
OT	0	0
Total:		
BA	40	371
OT	6	206
Natural Resources:		
May 2013 Baseline:		
BA	6,441	63,590
OT	7,069	66,964
Adjustment for Enacted Legislation:		
BA	– 63	– 1,325

TABLE 5.—SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued
 [On-budget amounts in millions of dollars]

	2014	2014–2023
OT	– 67	– 1,325
Total:.....		
BA	6,378	62,265
OT	7,002	65,639
Judiciary:		
May 2013 Baseline:		
BA	19,809	102,678
OT	11,573	105,537
Adjustment for Enacted Legislation:		
BA	– 693	– 693
OT	– 277	– 693
Total:.....		
BA	19,116	101,985
OT	11,296	104,844
Transportation & Infrastructure:		
May 2013 Baseline:		
BA	71,454	728,035
OT	16,822	193,098
Adjustment for Enacted Legislation:		
BA	0	0
OT	0	0
Total:.....		
BA	71,454	728,035
OT	16,822	193,098
Science, Space & Technology:		
May 2013 Baseline:		
BA	101	1,010
OT	104	1,013
Adjustment for Enacted Legislation:		
BA	0	0
OT	0	0
Total:.....		
BA	101	1,010
OT	104	1,013
Small Business:		
May 2013 Baseline:		
BA	0	0
OT	0	0
Adjustment for Enacted Legislation:		
BA	0	0
OT	0	0
Total:.....		
BA	0	0
OT	0	0
Veterans Affairs:		
May 2013 Baseline:		
BA	2,939	93,544
OT	3,098	95,206
Adjustment for Enacted Legislation:		
BA	– 1	– 4
OT	– 1	– 4
Total:.....		
BA	2,938	93,540
OT	3,097	95,202
Ways & Means:		
May 2013 Baseline:		
BA	963,421	14,458,848
OT	962,271	14,455,530
Adjustment for Enacted Legislation:		
BA	– 751	– 75,356
OT	116	– 75,356

TABLE 5.—SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued
 [On-budget amounts in millions of dollars]

	2014	2014–2023
Total:		
BA	962,670	14,383,492
OT	962,387	14,380,174

Senate Tables

Senator Murray (WA) submitted the following statement of committee allocations, aggregates, and other budgetary levels for fiscal year 2014 for the Congressional Record as required by section 111 of the Bipartisan Budget Act of 2013. This statement can be found on pages S361-363 of the Congressional Record (113th Congress).

Publication of Budgetary Material—(Senate—January 15, 2014)

SUBMISSION OF COMMITTEE ALLOCATIONS, BUDGET AGGREGATES, PAY-AS-YOU-GO SCORECARD, AND LIST OF ADVANCE APPROPRIATIONS PURSUANT TO SECTIONS 111, 112, AND 114 OF THE BIPARTISAN BUDGET ACT OF 2013

Ms. MURRAY. Mr. President, the Bipartisan Budget Act of 2013, which Congress passed last month, provides relief to families and the economy from the harmful effects of sequestration, more than offsetting the costs of providing that relief with savings elsewhere in the federal budget. In addition to those changes, the Bipartisan Budget Act also establishes a Congressional Budget for 2014 and, if necessary, for 2015, authorizing the Chairmen of the Senate and House Budget Committees to file allocations, aggregates, and levels in the Senate and the House for budget year 2014.

Specifically, to provide for continued enforcement in the Senate, section 111 requires the Chairman of the Budget Committee to file: (1) an allocation for fiscal year 2014 for the Committee on Appropriations; (2) allocations for fiscal years 2014, 2014 through 2018, and 2014 through 2023 for committees other than the Committee on Appropriations; (3) aggregate spending levels for fiscal year 2014; (4) aggregate revenue levels for fiscal years 2014, 2014 through 2018, and 2014 through 2023; and (5) aggregate levels of outlays and revenue for fiscal years 2014, 2014 through 2018, and 2014 through 2023 for Social Security.

In the case of the Committee on Appropriations for 2014, the allocation shall be set consistent with the discretionary spending limits set forth in the Bipartisan Budget Act, which imposes limits on the amount of budget authority that can be provided under both the revised security category and the revised nonsecurity category.

Both the discretionary spending limits and the allocation to the Committee on Appropriations can be revised for certain adjustments specifically authorized under the Budget Control Act of 2011. H.R. 3547, the Consolidated Appropriations Act, 2014, which the Senate will soon consider, includes several such adjustments. Consistent with the funding levels included in H.R. 3547, I am incorporating into the allocation to the Committee on Appropriations adjustments for overseas contingency operations and the global war on terrorism, disaster funding, and the program integrity initiative in the area of continuing disability reviews. I am also adjusting for a change in outlays previously designated as an emergency requirement. These adjustments are authorized by section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, as modified by section 101 of the Budget Control Act, and by section 314(a) of the Congressional Budget Act.

In the case of allocations for committees other than the Committee on Appropriations and for the revenue and Social Security aggregates, the levels shall be set consistent with the Congressional Budget Office's May 2013 baseline, adjusted to account for the budgetary effects of the Bipartisan Budget Act and other legislation enacted since the release of the May 2013 baseline. In other words, in these instances, the new allocations and levels are set equal to the updated May baseline.

In the case of the spending aggregates for 2014, the levels shall be set in accordance with the allocation for the Committee on Appropriations and the allocations for committees other than the Committee on Appropriations, as described previously.

Section 114 directs the Chairman of the Budget Committee also to reset the Senate pay-as-you-go scorecard to zero for all fiscal years. Pursuant to section 114, those revisions occurred immediately upon enactment of the Bipartisan Budget Act. I am now notifying the Senate and including the revised scorecard as part of the submission on revised enforcement for budget year 2014.

Finally, section 112 of the Bipartisan Budget Act establishes a point of order in the Senate against appropriations bills that provide advance appropriations. That Act includes limited exceptions to this prohibition including up to \$28.852 billion in

advance appropriations for programs, projects, activities, or accounts included in a statement submitted by the Chairman of the Budget Committee in the Congressional Record. Pursuant to section 112, the list of allowable advance appropriations subject to the limit is as follows:

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

Labor, Health and Human Services, and Education:

Employment and Training Administration
 Job Corps
 Education for the Disadvantaged
 School Improvement
 Special Education
 Career, Technical, and Adult Education

Financial Services and General Government:

Payment to Postal Service

Transportation, Housing and Urban Development:

Tenant-based Rental Assistance
 Project-based Rental Assistance

Mr. President, my counterpart, the Chairman of the House Budget Committee, Congressman Ryan, similarly is filing allocations, aggregates, and levels in the House. The two filings will allow the House and the Senate to extend budget enforcement measures for 2014, an important principle of the bipartisan deal that Chairman Ryan and I agreed to last month.

I ask unanimous consent that the following tables detailing enforcement in the Senate for budget year 2014, including new committee allocations, budgetary and Social Security aggregates, as well as adjustments to those levels, and the pay-as-you-go scorecard, be printed in the RECORD.

TABLE 6.—PAY-AS-YOU-GO SCORECARD FOR THE SENATE

(Pursuant to section 114(a)(1) of the Bipartisan Budget Act of 2013 *)

	\$s in millions	Balances
Fiscal Years 2014 through 2018		0
Fiscal Years 2014 through 2023		0

* Note: pursuant to section 114, this change became effective upon enactment of the Bipartisan Budget Act of 2013.

TABLE 7.—BUDGETARY AGGREGATES

(Pursuant to section 111 of the Bipartisan Budget Act of 2011 and section 311 of the Congressional Budget Act of 1974)

	\$s in millions	2014	2014–18	2014–23
Spending:				
Budget Authority		2,924,837	n/a	n/a
Outlays		2,937,094	n/a	n/a
Revenue:		2,311,026	13,699,478	31,095,742

n/a = Not applicable. Appropriations for fiscal years 2015–2023 will be determined by future sessions of Congress and enforced through future Congressional budget resolutions.

TABLE 8.—SOCIAL SECURITY LEVELS

(Pursuant to section 111 of the Bipartisan Budget Act of 2011 and section 311 of the Congressional Budget Act of 1974)

	\$s in millions	2014	2014–18	2014–23
Outlays		705,515	3,996,404	9,403,107
Revenue		730,850	4,071,103	9,247,283

TABLE 9.—ADJUSTMENTS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS

(Pursuant to sections 302 and 314(a) of the Congressional Budget Act of 1974)

In millions of dollars	Initial Allocation/Limit	Adjustments	Adjusted Allocation/Limit
Fiscal Year 2014:			
Revised Security Category Discretionary Budget Authority	520,464	85,418	605,882
Revised Nonsecurity Category Discretionary Budget Authority	491,773	13,070	504,843
General Purpose Discretionary Outlays	1,154,816	46,370	1,201,186
Memorandum: Total Discretionary Budget Authority	1,012,237	98,488	1,110,725

TABLE 10.—DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2014 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTIONS 302 AND 314(a) OF THE CONGRESSIONAL BUDGET ACT

\$ in billions	Program integrity	Disaster relief	Emergency	Overseas contingency operations	Total
Agriculture:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
Commerce-Justice-Science:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
Defense:					
Budget Authority	0.000	0.000	0.000	85.191	85.191
Outlays	0.000	0.000	0.000	43.140	43.140
Energy & Water:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
Financial Services:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
Homeland Security:					
Budget Authority	0.000	5.626	0.000	0.227	5.853
Outlays	0.000	0.281	0.000	0.182	0.463
Interior and Related Agencies:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
Labor-HHS-ED:					
Budget Authority	0.924	0.000	0.000	0.000	0.924
Outlays	0.832	0.000	0.000	0.000	0.832
Legislative Branch:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
MilCon-VA:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.000	0.000	0.000
State-Foreign Operations:					
Budget Authority	0.000	0.000	0.000	6.520	6.520
Outlays	0.000	0.000	0.000	1.885	1.885
Transportation-HUD:					
Budget Authority	0.000	0.000	0.000	0.000	0.000
Outlays	0.000	0.000	0.050	0.000	0.050
Total:					
Budget Authority	0.924	5.626	0.000	91.938	98.488
Outlays	0.832	0.281	0.050	45.207	46.370
Breakdown of Above Adjustments by Category:					
Revised Security Category Budget Authority	0.000	0.000	0.000	85.418	85.418
Revised Nonsecurity Category Budget Authority	0.924	5.626	0.000	6.520	13.070
General Purpose Discretionary Outlays	0.832	0.281	0.050	45.207	46.370

TABLE 11.—SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 111 OF THE BIPARTISAN BUDGET ACT OF 2013 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR 2014

[In millions of dollars]

Committee	Direct Spending Legislation		Entitlements Funded In Annual Appropriations Acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Appropriations:				
Revised Security Category Discretionary Budget Authority*	605,882	n/a		
Revised Nonsecurity Category Discretionary Budget Authority*	504,843	n/a		
General Purpose Discretionary Outlays*	n/a	1,201,186		
Memo: on-budget	1,105,600	1,196,030		
off-budget	5,125	5,156		
Mandatory	834,636	818,871		
Total	1,945,361	2,020,057		
Agriculture, Nutrition, and Forestry	12,852	11,862	122,905	107,615
Armed Services	150,201	149,986	110	107
Banking, Housing, and Urban Affairs	22,231	1,767	0	0
Commerce, Science, and Transportation	15,648	10,850	1,460	1,478
Energy and Natural Resources	2,073	4,917	62	62
Environment and Public Works	43,717	3,310	0	0
Finance	1,311,988	1,304,815	602,099	602,061
Foreign Relations	29,118	26,085	159	159
Homeland Security and Governmental Affairs	102,892	99,882	9,234	9,234
Judiciary	20,481	12,651	811	801
Health, Education, Labor, and Pensions	-1,812	10,196	15,679	15,540
Rules and Administration	40	6	24	24
Intelligence	0	0	514	514
Veterans' Affairs	928	1,144	81,475	81,172
Indian Affairs	907	1,408	0	0
Small Business	0	0	0	0
Unassigned to Committee	-726,663	-716,686	104	104
Total	2,929,962	2,942,250	834,636	818,871

*Note: includes adjustments to the budget authority and outlay allocations to the Committee on Appropriations pursuant to sections 302 and 314(a) of the Congressional Budget Act of 1974.

TABLE 12.—SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 111 OF THE BIPARTISAN BUDGET ACT OF 2013 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT, 5-YEAR: 2014–2018

[In millions of dollars]

Committee	Direct Spending Legislation		Entitlements Funded In Annual Appropriations Acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Agriculture, Nutrition, and Forestry	68,964	66,695	618,290	548,862
Armed Services	803,939	803,677	522	514
Banking, Housing, and Urban Affairs	114,359	-3,763	0	0
Commerce, Science, and Transportation	84,098	60,727	8,338	8,106
Energy and Natural Resources	21,135	24,493	310	310
Environment and Public Works	219,493	20,409	0	0
Finance	7,664,235	7,646,654	3,494,218	3,494,377
Foreign Relations	130,444	125,264	795	795
Homeland Security and Governmental Affairs	547,584	534,512	45,791	45,791

TABLE 12.—SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 111 OF THE BIPARTISAN BUDGET ACT OF 2013 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT, 5-YEAR: 2014–2018—Continued

[In millions of dollars]

Committee	Direct Spending Legislation		Entitlements Funded In Annual Appropriations Acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Judiciary	64,652	66,854	4,349	4,329
Health, Education, Labor, and Pensions	55,361	76,283	85,937	85,569
Rules and Administration	189	71	130	130
Intelligence	0	0	2,570	2,570
Veterans' Affairs	4,062	5,177	437,999	436,484
Indian Affairs	3,626	5,527	0	0
Small Business	0	0	0	0

TABLE 13.—SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 111 OF THE BIPARTISAN BUDGET ACT OF 2013 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT, 10-YEAR: 2014–2023

[In millions of dollars]

Committee	Direct Spending Legislation		Entitlements Funded In Annual Appropriations Acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Agriculture, Nutrition, and Forestry	141,305	137,659	1,246,249	1,102,907
Armed Services	1,758,840	1,762,789	1,034	1,016
Banking, Housing, and Urban Affairs ...	207,543	– 60,746	0	0
Commerce, Science, and Transportation	174,722	124,675	19,036	18,418
Energy and Natural Resources	47,131	50,524	620	620
Environment and Public Works	433,619	41,574	0	0
Finance	19,084,627	19,067,886	8,354,833	8,354,805
Foreign Relations	241,385	235,012	1,590	1,590
Homeland Security and Governmental Affairs	1,190,302	1,161,411	87,036	87,036
Judiciary	118,621	121,407	9,519	9,484
Health, Education, Labor, and Pensions	179,501	200,042	201,258	200,530
Rules and Administration	371	206	292	292
Intelligence	0	0	5,140	5,140
Veterans' Affairs	6,426	8,658	948,052	945,022
Indian Affairs	7,829	9,756	0	0
Small Business	0	0	0	0

**Changes in Existing Law Made by the
Bipartisan Budget Act of 2013**

CHANGES IN EXISTING LAW MADE BY THE
BIPARTISAN BUDGET ACT OF 2013

Changes made by the Bipartisan Budget Act of 2013 are shown as follows (law having been deleted is enclosed in black brackets, new matter is printed in *italics*, law in which no change was made is shown in roman):

**BALANCED BUDGET AND EMERGENCY DEFICIT
CONTROL ACT OF 1985**

**PART C—EMERGENCY POWERS TO ELIMINATE
DEFICITS IN EXCESS OF MAXIMUM DEFICIT AMOUNT**

**SEC. 250. TABLE OF CONTENTS; STATEMENT OF BUDGET ENFORCE-
MENT THROUGH SEQUESTRATION; DEFINITIONS.**

(a) * * *

* * * * *

(c) DEFINITIONS.—

As used in this part:

(1) * * *

* * * * *

(4)(A) * * *

* * * * *

(D) The term “revised security category” means discretionary appropriations in budget function 050.

(E) The term “revised nonsecurity category” means discretionary appropriations other than in budget function 050.

(F) The term “category” means the subsets of discretionary appropriations in section 251(c). 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 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.

* * * * *

SEC. 251. ENFORCING DISCRETIONARY SPENDING LIMITS.

(a) * * *

* * * * *

(c) DISCRETIONARY SPENDING LIMIT.—As used in this part, the term “discretionary spending limit” means—

[(1) with respect to fiscal year 2012—

[(A) for the security category, \$684,000,000,000 in new budget authority; and

[(B) for the nonsecurity category, \$359,000,000,000 in new budget authority;

[(2) for fiscal year 2013—

[(A) for the security category, as defined in section 250(c)(4)(B), \$684,000,000,000 in budget authority; and

[(B) for the nonsecurity category, as defined in section 250(c)(4)(A), \$359,000,000,000 in budget authority;

[(3) for fiscal year 2014—

[(A) for the security category, \$552,000,000,000 in budget authority; and

[(B) for the nonsecurity category, \$506,000,000,000 in budget authority;

[(4) with respect to fiscal year 2015, for the discretionary category, \$1,086,000,000,000 in new budget authority;

[(5) with respect to fiscal year 2016, for the discretionary category, \$1,107,000,000,000 in new budget authority;

[(6) with respect to fiscal year 2017, for the discretionary category, \$1,131,000,000,000 in new budget authority;

[(7) with respect to fiscal year 2018, for the discretionary category, \$1,156,000,000,000 in new budget authority;

[(8) with respect to fiscal year 2019, for the discretionary category, \$1,182,000,000,000 in new budget authority;

[(9) with respect to fiscal year 2020, for the discretionary category, \$1,208,000,000,000 in new budget authority; and

[(10) with respect to fiscal year 2021, for the discretionary category, \$1,234,000,000,000 in new budget authority;]

(1) for fiscal year 2014—

(A) for the revised security category, \$520,464,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$491,773,000,000 in new budget authority;

(2) for fiscal year 2015—

(A) for the revised security category, \$521,272,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$492,356,000,000 in new budget authority;

(3) for fiscal year 2016—

(A) for the revised security category, \$577,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$530,000,000,000 in new budget authority;

(4) for fiscal year 2017—

(A) for the revised security category, \$590,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$541,000,000,000 in new budget authority;

(5) for fiscal year 2018—

(A) for the revised security category, \$603,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$553,000,000,000 in new budget authority;

(6) for fiscal year 2019—

(A) for the revised security category, \$616,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$566,000,000,000 in new budget authority;

(7) for fiscal year 2020—

(A) for the revised security category, \$630,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$578,000,000,000 in new budget authority; and

(8) for fiscal year 2021—

(A) for the revised security category, \$644,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$590,000,000,000 in new budget authority;

as adjusted in strict conformance with subsection (b).

SEC. 251A. ENFORCEMENT OF BUDGET GOAL.

【Unless a joint committee bill achieving an amount greater than \$1,200,000,000,000 in deficit reduction as provided in section 401(b)(3)(B)(i)(II) of the Budget Control Act of 2011 is enacted by January 15, 2012, the discretionary spending limits listed in section 251(c) shall be revised, and discretionary appropriations and direct spending shall be reduced, as follows:】 *Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:*

【(1) REVISED SECURITY CATEGORY; REVISED NONSECURITY CATEGORY.—(A) The term “revised security category” means discretionary appropriations in budget function 050.

【(B) The term “revised nonsecurity category” means discretionary appropriations other than in budget function 050.

【(2) REVISED DISCRETIONARY SPENDING LIMITS.—The discretionary spending limits for fiscal years 2013 through 2021 under section 251(c) shall be replaced with the following:

【(A) For fiscal year 2013—

【(i) for the security category, \$546,000,000,000 in budget authority; and

【(ii) for the nonsecurity category, \$501,000,000,000 in budget authority.

【(B) For fiscal year 2014—

【(i) for the security category, \$556,000,000,000 in budget authority; and

【(ii) for the nonsecurity category, \$510,000,000,000 in budget authority.

【(C) For fiscal year 2015—

【(i) for the security category, \$566,000,000,000 in budget authority; and

【(ii) for the nonsecurity category, \$520,000,000,000 in budget authority.

【(D) For fiscal year 2016—

【(i) for the security category, \$577,000,000,000 in budget authority; and

[(i) for the nonsecurity category, \$530,000,000,000 in budget authority.

[(E) For fiscal year 2017—

[(i) for the security category, \$590,000,000,000 in budget authority; and

[(ii) for the nonsecurity category, \$541,000,000,000 in budget authority.

[(F) For fiscal year 2018—

[(i) for the security category, \$603,000,000,000 in budget authority; and

[(ii) for the nonsecurity category, \$553,000,000,000 in budget authority.

[(G) For fiscal year 2019—

[(i) for the security category, \$616,000,000,000 in budget authority; and

[(ii) for the nonsecurity category, \$566,000,000,000 in budget authority.

[(H) For fiscal year 2020—

[(i) for the security category, \$630,000,000,000 in budget authority; and

[(ii) for the nonsecurity category, \$578,000,000,000 in budget authority.

[(I) For fiscal year 2021—

[(i) for the security category, \$644,000,000,000 in budget authority; and

[(ii) for the nonsecurity category, \$590,000,000,000 in budget authority.]

[(3)] (1) CALCULATION OF TOTAL DEFICIT REDUCTION.—OMB shall calculate the amount of the deficit reduction required by this section for each of fiscal years 2013 through 2021 by—

(A) * * *

* * * * *

[(4)] (2) ALLOCATION TO FUNCTIONS.—On March 1, 2013, for fiscal year 2013, and in its sequestration preview report for fiscal years 2014 through 2021 pursuant to section 254(c), OMB shall allocate half of the total reduction calculated pursuant to [paragraph (3)] *paragraph (1)* for that year to discretionary appropriations and direct spending accounts within function 050 (defense function) and half to accounts in all other functions (nondefense functions).

[(5)] (3) DEFENSE FUNCTION REDUCTION.—OMB shall calculate the reductions to discretionary appropriations and direct spending for each of fiscal years 2013 through 2021 for defense function spending as follows:

(A) DISCRETIONARY.—OMB shall calculate the reduction to discretionary appropriations by—

(i) taking the total reduction for the defense function allocated for that year under [paragraph (4)] *paragraph (2)*;

* * * * *

(B) DIRECT SPENDING.—OMB shall calculate the reduction to direct spending by taking the total reduction for the

defense function required for that year under [paragraph (4)] *paragraph (2)* and subtracting the discretionary reduction calculated pursuant to subparagraph (A).

[(6)] (4) NONDEFENSE FUNCTION REDUCTION.—OMB shall calculate the reduction to discretionary appropriations and to direct spending for each of fiscal years 2013 through 2021 for programs in nondefense functions as follows:

(A) DISCRETIONARY.—OMB shall calculate the reduction to discretionary appropriations by—

(i) taking the total reduction for nondefense functions allocated for that year under [paragraph (4)] *paragraph (2)*;

* * * * *

(B) DIRECT SPENDING.—OMB shall calculate the reduction to direct spending programs by taking the total reduction for nondefense functions required for that year under [paragraph (4)] *paragraph (2)* and subtracting the discretionary reduction calculated pursuant to subparagraph (A).

[(7)] (5) IMPLEMENTING DISCRETIONARY REDUCTIONS.—

(A) FISCAL YEAR 2013.—On March 1, 2013, for fiscal year 2013, OMB shall calculate and the President shall order a sequestration, effective upon issuance and under the procedures set forth in section 253(f), to reduce each account within the security category or nonsecurity category by a dollar amount calculated by multiplying the baseline level of budgetary resources in that account at that time by a uniform percentage necessary to achieve—

(i) for the revised security category, an amount equal to the defense function discretionary reduction calculated pursuant to [paragraph (5)] *paragraph (3)*; and

(ii) for the revised nonsecurity category, an amount equal to the nondefense function discretionary reduction calculated pursuant to [paragraph (6)] *paragraph (4)*.

(B) FISCAL YEARS 2014–2021.— [On] *Except as provided by paragraph (10), on the date of the submission of its sequestration preview report for fiscal years 2014 through 2021 pursuant to section 254(c) for each of fiscal years 2014 through 2021, OMB shall reduce the discretionary spending limit—*

(i) for the revised security category by the amount of the defense function discretionary reduction calculated pursuant to [paragraph (5)] *paragraph (3)*; and

(ii) for the revised nonsecurity category by the amount of the nondefense function discretionary reduction calculated pursuant to [paragraph (6)] *paragraph (4)*.

[(8)] (6) IMPLEMENTING DIRECT SPENDING REDUCTIONS.—

(A) On the date specified in [paragraph (4)] *paragraph (2)* during each applicable year, OMB shall prepare and the President shall order a sequestration, effective upon issuance, of non-exempt direct spending to achieve the direct spending reduc-

tion calculated pursuant to [paragraphs (5) and (6)] *paragraphs (3) and (4)*. When implementing the sequestration of direct spending pursuant to this paragraph, OMB shall follow the procedures specified in section 6 of the Statutory Pay-As-You-Go Act of 2010, the exemptions specified in section 255, and the special rules specified in section 256, except that the percentage reduction for the Medicare programs specified in section 256(d) shall not be more than 2 percent for a fiscal year.

(B) *On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—*

(i) *the percentage reduction for nonexempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and*

(ii) *the percentage reduction for nonexempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).*

[(9)] (7) ADJUSTMENT FOR MEDICARE.—If the percentage reduction for the Medicare programs would exceed 2 percent for a fiscal year in the absence of [paragraph (8)] *paragraph (6)*, OMB shall increase the reduction for all other discretionary appropriations and direct spending under [paragraph (6)] *paragraph (4)* by a uniform percentage to a level sufficient to achieve the reduction required by [paragraph (6)] *paragraph (4)* in the non-defense function.

[(10)] (8) IMPLEMENTATION OF REDUCTIONS.—Any reductions imposed under this section shall be implemented in accordance with section 256(k).

[(11)] (9) REPORT.—On the dates specified in [paragraph (4)] *paragraph (2)*, OMB shall submit a report to Congress containing information about the calculations required under this section, the adjusted discretionary spending limits, a listing of the reductions required for each nonexempt direct spending account, and any other data and explanations that enhance public understanding of this title and actions taken under it.

(10) *IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.*

(B) *Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.*

SEC. 252. ENFORCING PAY-AS-YOU-GO.

(a) * * *

(b) SEQUESTRATION.—

(1) * * *

(2) CALCULATION OF DEFICIT INCREASE.—OMB shall calculate the amount of deficit increase or decrease by adding—

(A) * * *

(B) the estimated amount of savings in direct spending programs [applicable to budget year] *applicable to the budget year* resulting from the prior year's sequestration under this section or section 253, if any, as published in OMB's final sequestration report for that prior year; and

* * * * *

(c) ELIMINATING A DEFICIT INCREASE.—(1) The amount required to be sequestered in a fiscal year under subsection (b) shall be obtained from non-exempt direct spending accounts from actions taken in the following order:

(A) * * *

* * * * *

(C) THIRD.—(i) If additional reductions in direct spending accounts are required to be made, each remaining non-exempt direct spending account shall be reduced by the uniform percentage necessary to make the reductions in direct spending required by [paragraph (1)] *subsection (b)*; except that the medicare programs specified in section 256(d) shall not be reduced by more than 4 percent and the uniform percentage applicable to all other direct spending programs under this paragraph shall be increased (if necessary) to a level sufficient to achieve the required reduction in direct spending.

* * * * *

SEC. 254. REPORTS AND ORDERS.

(a) * * *

* * * * *

(c) SEQUESTRATION PREVIEW REPORTS.—

(1) * * *

* * * * *

(3) PAY-AS-YOU-GO SEQUESTRATION REPORTS.—The preview reports shall set forth, for the current year and the budget year, estimates for each of the following:

(A) The amount of net deficit increase or decrease, if any, calculated under [subsection 252(b)] *section 252(b)*.

* * * * *

(f) FINAL SEQUESTRATION REPORTS.—

(1) * * *

* * * * *

(4) EXPLANATION OF DIFFERENCES.—The OMB report shall explain any differences between OMB and CBO estimates of the amount of any net deficit change calculated under [subsection 252(b)] *section 252(b)*, any excess deficit, any breach, and any required sequestration percentage. The OMB report shall also explain differences in the amount of sequesterable

resources for any budget account to be reduced if such difference is greater than \$5,000,000.

* * * * *

SEC. 255. EXEMPT PROGRAMS AND ACTIVITIES.

(a) SOCIAL SECURITY BENEFITS AND TIER I RAILROAD RETIREMENT BENEFITS.—Benefits payable under the old-age, survivors, and disability insurance program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), and benefits payable under [section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code] *sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)*, shall be exempt from reduction under any order issued under this part.

* * * * *

(h) LOW-INCOME PROGRAMS.—The following programs shall be exempt from reduction under any order issued under this part:

Academic Competitiveness/Smart Grant Program (91-0205-0-1-502).

Child Care Entitlement to States (75-1550-0-1-609).

Child Enrollment Contingency Fund (75-5551-0-2-551).

Child Nutrition Programs (with the exception of special milk programs) (12-3539-0-1-605).

Children's Health Insurance Fund (75-0515-0-1-551).

Commodity Supplemental Food Program (12-3507-0-1-605).

Contingency Fund (75-1522-0-1-609).

Family Support Programs (75-1501-0-1-609).

Federal Pell Grants under [section 401 Title IV] *section 401 of title IV* of the Higher Education Act.

Grants to States for Medicaid (75-0512-0-1-551).

Payments for Foster Care and Permanency (75-1545-0-1-609).

Supplemental Nutrition Assistance Program (12-3505-0-1-605).

Supplemental Security Income Program (28-0406-0-1-609).

Temporary Assistance for Needy Families (75-1552-0-1-609).

* * * * *

(j) SPLIT TREATMENT PROGRAMS.—Each of the following programs shall be exempt from any order under this part to the extent that the budgetary resources of such programs are subject to obligation limitations in appropriations bills:

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

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

Operations and Research NHTSA and National Driver Register (69-8016-0-7-401).

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

Motor Carrier Safety Grants (69-8158-0-7-401).

Formula and Bus Grants (69-8350-0-7-401).

Grants-In-Aid for Airports (69-8106-0-7-402).

[(j)] (k) IDENTIFICATION OF PROGRAMS.—For purposes of subsections (b), (g), and (h), each account is identified by the designated budget account identification code number set forth in the Budget of the United States Government 2010–Appendix, and an activity within an account is designated by the name of the activity and the identification code number of the account.

* * * * *

SEC. 257. THE BASELINE.

(a) * * *

(b) DIRECT SPENDING AND RECEIPTS.—For the budget year and each outyear, the baseline shall be calculated using the following assumptions:

(1) * * *

(2) EXCEPTIONS.—(A)(i) No program established by a law enacted on or before the date of enactment of the Balanced Budget Act of 1997 with estimated current year outlays greater than \$50,000,000 shall be assumed to expire in the budget year or the outyears. The scoring of new programs with estimated outlays greater than \$50,000,000 a year shall be based on scoring by the Committees on Budget or OMB, as applicable. OMB, CBO, and the Budget Committees shall consult on the scoring of such programs where there are [differenes] *differences* between CBO and OMB.

* * * * *

SEC. 258. SUSPENSION IN THE EVENT OF WAR OR LOW GROWTH.

(a) PROCEDURES IN THE EVENT OF A LOW GROWTH REPORT.—

(1) TRIGGER.—Whenever CBO issues a low-growth report under [section 254(j)] *section 254(i)*, the Majority Leader of the House of Representatives may, and the Majority Leader of the Senate shall, introduce a joint resolution (in the form set forth in paragraph (2)) declaring that the conditions specified in section 254(j) are met and suspending the relevant provisions of this title, titles III and VI of the Congressional Budget Act of 1974, and section 1103 of title 31, United States Code.

* * * * *

CONGRESSIONAL BUDGET ACT OF 1974

* * * * *

TITLE III—CONGRESSIONAL BUDGET PROCESS

* * * * *

ANNUAL ADOPTION OF CONCURRENT RESOLUTION ON THE BUDGET

SEC. 301. (a) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1 of such year. The concurrent resolution shall set forth appropriate levels for the fiscal year begin-

ning on October 1 of such year and for at least each of the 4 ensuing fiscal years for the following—

(1) * * *

* * * * *

(6) **【For purposes】** *for purposes* of Senate enforcement under this title, outlays of the old-age, survivors, and disability insurance program established under title II of the Social Security Act for the fiscal year of the resolution and for each of the 4 succeeding fiscal years; and

(7) **【For purposes】** *for purposes* of Senate enforcement under this title, revenues of the old-age, survivors, and disability insurance program established under title II of the Social Security Act (and the related provisions of the Internal Revenue Code of 1986) for the fiscal year of the resolution and for each of the 4 succeeding fiscal years.

The concurrent resolution shall not include the outlays and revenue totals of the **【old age】** *old-age*, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any other surplus or deficit totals required by this title.

* * * * *

COMMITTEE ALLOCATIONS

SEC. 302. (a) * * *

* * * * *

(g) PAY-AS-YOU-GO EXCEPTION IN THE HOUSE.—

(1) * * *

(2) REVISED ALLOCATIONS.—(A) As soon as practicable after Congress agrees to a bill or joint resolution that would have been subject to a point of order under subsection (f)(1) but for the exception provided in paragraph (1)(A) or would have been subject to a point of order under section 311(a) but for the exception provided in paragraph (1)(B), the chairman of the **【committee on the Budget】** *Committee on the Budget* of the House of Representatives shall file with the House appropriately revised allocations under section 302(a) and revised functional levels and budget aggregates to reflect that bill.

* * * * *

PROVISIONS RELATING TO THE CONSIDERATION OF CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 305. (a) PROCEDURE IN HOUSE OF REPRESENTATIVES AFTER REPORT OF COMMITTEE; DEBATE.—

(1) When a concurrent resolution on the budget has been reported by the Committee on the Budget of the House of Representatives and has been referred to the appropriate calendar of the House, it shall be in order on any day thereafter, subject to **【clause 2(1)(6) of rule XI】** *clause 4 of rule XIII* of the Rules of the House of Representatives, to move to proceed to the consideration of the concurrent resolution. The motion is highly

privileged and is not debatable. An amendment to the motion is not in order and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

* * * * *

(5) Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be considered for amendment under the five-minute rule in accordance with the applicable ~~provisions of rule XXIII~~ *provisions of rule XVIII* of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to adopt an amendment (or a series of amendments) changing any figure or figures in the resolution as so reported to the extent necessary to achieve mathematical consistency.

* * * * *

(b) PROCEDURE IN SENATE AFTER REPORT OF COMMITTEE; DEBATE; AMENDMENTS.—

(1) Debate in the Senate on any concurrent resolution on the budget, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours, except that with respect to any concurrent resolution referred to in ~~section 304(a)~~ *section 304* all such debate shall be limited to not more than 15 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

* * * * *

LEGISLATION DEALING WITH CONGRESSIONAL BUDGET MUST BE
HANDLED BY BUDGET COMMITTEES

SEC. 306. ~~NO~~ (a) *IN THE SENATE.*—*In the Senate, no bill, resolution, amendment, motion, or conference report, dealing with any matter which is within the jurisdiction of the Committee on the Budget [of either House] shall be considered [in that House] unless it is a bill or resolution which has been reported by the Committee on the Budget [of that House] (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or resolution.*

(b) *IN THE HOUSE OF REPRESENTATIVES.*—*In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.*

REPORTS, SUMMARIES, AND PROJECTIONS OF CONGRESSIONAL BUDGET
ACTIONS

SEC. 308. (a) * * *

* * * * *

(d) **Scorekeeping Guidelines.—** SCOREKEEPING GUIDELINES.—
Estimates under this section shall be provided in accordance with
the scorekeeping guidelines determined under section 252(d)(5) of
the Balanced Budget and Emergency Deficit Control Act of 1985.

* * * * *

RECONCILIATION

SEC. 310. (a) * * *

* * * * *

(c) **COMPLIANCE WITH RECONCILIATION DIRECTIONS.—**(1) Any
committee of the House of Representatives or the Senate that is di-
rected, pursuant to a concurrent resolution on the budget, to deter-
mine and recommend changes of the type described in paragraphs
(1) and (2) of subsection (a) with respect to laws within its jurisdic-
tion, shall be deemed to have complied with such directions—

(A) if—

(i) the amount of the changes of the type described in
paragraph (1) of such subsection recommended by such
committee do not exceed or fall below the amount of the
changes such committee was directed by such concurrent
resolution to recommend **under that paragraph by more
than** *under that paragraph by more than*—

(I) * * *

(ii) the amount of the changes of the type described in
paragraph (2) of such subsection recommended by such
committee do not exceed or fall below the amount of the
changes such committee was directed by such concurrent
resolution to recommend **under that paragraph by more
than** *under that paragraph by more than*—

(I) * * *

* * * * *

ADJUSTMENTS

SEC. 314. (a) * * *

* * * * *

(d) **EMERGENCIES IN THE HOUSE OF REPRESENTATIVES.—**(1)
* * *

(2) **(A)** In the House of Representatives, if a reported bill or
joint resolution, or amendment thereto or conference report there-
on, contains a provision providing new budget authority and out-
lays or reducing revenue, and a designation of such provision as an
emergency pursuant to paragraph (1), the chair of the Committee
on the Budget shall not count the budgetary effects of such provi-
sion for purposes of this title and title IV and the Rules of the
House of Representatives. **]**

[(B)] (A) In the House of Representatives, a proposal to strike a designation [under subparagraph (A)] *under paragraph (1)* shall be excluded from an evaluation of budgetary effects for purposes of this title and title IV and the Rules of the House of Representatives.

[(C)] (B) An amendment offered [under subparagraph (B)] *under subparagraph (A)* that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

* * * * *

EFFECT OF ADOPTION OF A SPECIAL ORDER OF BUSINESS IN THE HOUSE OF REPRESENTATIVES

SEC. 315. For purposes of a reported bill or joint resolution considered in the House of Representatives pursuant to a special order of business, the term “as reported” in this title or title IV shall be considered to refer to the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be. *In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.*

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

PART A—GENERAL PROVISIONS

BUDGET-RELATED LEGISLATION NOT SUBJECT TO APPROPRIATIONS

SEC. 401. (a) * * *

(b) LEGISLATION PROVIDING NEW ENTITLEMENT AUTHORITY.—

(1) * * *

(2) If any committee of the House of Representatives or the Senate reports any bill or resolution which provides new entitlement authority which is to become effective during a fiscal year and the amount of new budget authority which will be required for such fiscal year if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported under [section 302(b)] *section 302(a)* in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations of the Senate or may then be referred to the Committee on Appropriations of the House, as the case may be, with instructions to report it, with the committee’s recommendations, within 15 calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations of

either House fails to report a bill or resolution referred to it under this paragraph within such 15-day period, the committee shall automatically be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the appropriate calendar.

* * * * *

(c) EXCEPTIONS.—

(1) * * *

* * * * *

(3) *In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.*

* * * * *

PART B—FEDERAL MANDATES

SEC. 421. DEFINITIONS.

For purposes of this part:

(1) * * *

* * * * *

(5) FEDERAL INTERGOVERNMENTAL MANDATE.—The term “Federal intergovernmental mandate” means—

(A) any provision in legislation, statute, or regulation that—

(i) would impose an enforceable duty upon State, local, or tribal governments, except—

(I) * * *

(II) a duty arising from participation in a voluntary Federal program, except as provided in [subparagraph (B)] *subparagraph (B)*; or

* * * * *

TITLE V—CREDIT REFORM

* * * * *

SEC. 505. AUTHORIZATIONS.

(a) * * *

* * * * *

(c) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay to the financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above, except that the rate of interest charged by the Secretary on lending to financing accounts (including amounts treated as lending to financing accounts by the Fed-

eral Financing Bank (hereinafter in this subsection referred to as the “Bank”) pursuant to [section 406(b)] *section 405(b)*) and the rate of interest paid to financing accounts on uninvested balances in financing accounts shall be the same as the rate determined pursuant to section 502(5)(E). For guaranteed loans financed by the Bank and treated as direct loans by a Federal agency pursuant to [section 406(b)] *section 405(b)*, any fee or interest surcharge (the amount by which the interest rate charged exceeds the rate determined pursuant to section 502(5)(E)) that the Bank charges to a private borrower pursuant to section 6(c) of the Federal Financing Bank Act of 1973 shall be considered a cash flow to the Government for the purposes of determining the cost of the direct loan pursuant to section 502(5). All such amounts shall be credited to the appropriate financing account. The Bank is authorized to require reimbursement from a Federal agency to cover the administrative expenses of the Bank that are attributable to the direct loans financed for that agency. All such payments by an agency shall be considered administrative expenses subject to section 504(g). This subsection shall apply to transactions related to direct loan obligations or loan guarantee commitments made on or after October 1, 1991. The authorities described above shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate a direct loan or loan guarantee program. All of the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds.

* * * * *

TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

* * * * *

EXERCISE OF RULEMAKING POWERS

SEC. 904. (a) * * *

* * * * *

(c) WAIVERS.—

(1) * * *

(2) TEMPORARY.—Sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), 312(c), [and 314(e)] *314(e)*, and *314(f)* of this Act and sections 258(a)(4)(C), [258A(b)(3)(C)(I)] *258A(b)(3)(C)(i)*, 258B(f)(1), 258B(h)(1), [258(h)(3)] *258B(h)(3)*, 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—

(1) * * *

* * * * *

(3) TEMPORARY.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), [and 312(c)] *312(c), 314(e), and 314(f)* of this Act and sections 258(a)(4)(C), [258A(b)(3)(C)(I)] *258A(b)(3)(C)(i)*, 258B(f)(1), 258B(h)(1), [258(h)(3)] *258B(h)(3)*, 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

* * * * *

SOCIAL SECURITY ACT

TITLE II—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS

* * * * *

AGE AND SURVIVORS INSURANCE BENEFIT PAYMENTS

SEC. 202. (a) * * *

* * * * *

Limitation on Payments to Prisoners, Certain Other Inmates of Publicly Funded Institutions, Fugitives, Probationers, and Parolees

(x)(1) * * *

* * * * *

(3)(A) * * *

(B)(i) The Commissioner shall enter into an agreement under this subparagraph with any interested State or local institution comprising a jail, prison, penal institution, or correctional facility, or comprising any other institution a purpose of which is to confine individuals as described in paragraph (1)(A)(ii). Under such agreement—

(I) the institution shall provide to the Commissioner, on a monthly basis and in a manner specified by the Commissioner, the *first, middle, and last* names, Social Security account numbers[,] or *taxpayer identification numbers, prison assigned inmate numbers, last known addresses, dates of birth, confinement commencement dates, dates of release or anticipated dates of release, dates of work release,* and, to the extent available to the institution, such other identifying information concerning the individuals confined in the institution as the Commissioner may require for the purpose of carrying out paragraph (1) and clause (iv) of this subparagraph and other provisions of this title; and

* * * * *

(iv) The Commissioner shall maintain, and shall provide on a reimbursable basis, information obtained pursuant to agreements entered into under this paragraph to any agency administering a Federal or federally-assisted cash, food, or medical assistance program for eligibility and other administrative purposes under such

program, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs.

(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity, and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.

* * * * *

TITLE III—GRANTS TO STATES FOR UNEMPLOYMENT
COMPENSATION ADMINISTRATION

* * * * *

PROVISIONS OF STATE LAWS

SEC. 303. (a) * * *

* * * * *

(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 1 year after the debt was finally determined to be due and collected, the State to which such debt is owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.

* * * * *

TITLE XVI—SUPPLEMENTAL SECURITY INCOME FOR THE
AGED, BLIND, AND DISABLED

* * * * *

PART A—DETERMINATION OF BENEFITS
ELIGIBILITY FOR AND AMOUNT OF BENEFITS

SEC. 1611. (a) * * *

* * * * *

Limitation on Eligibility of Certain Individuals

(e)(1)(A) * * *

* * * * *

(I)(i) The Commissioner shall enter into an agreement, with any interested State or local institution comprising a jail, prison, penal institution, or correctional facility, or with any other interested State or local institution a purpose of which is to confine individuals as described in section 202(x)(1)(A)(ii), under which—

(I) the institution shall provide to the Commissioner, on a monthly basis and in a manner specified by the Commissioner, the *first, middle, and last* names, social security account numbers[,] or *taxpayer identification numbers, prison assigned inmate numbers, last known addresses, dates of birth, confinement commencement dates, dates of release or anticipated dates of release, dates of work release,* and, to the extent available to the institution, such other identifying information concerning the inmates of the institution as the Commissioner may require for the purpose of carrying out this paragraph and clause (iv) of this subparagraph and the other provisions of this title; and

* * * * *

(iii) The Commissioner shall provide, on a reimbursable basis, information obtained pursuant to agreements entered into under clause (i) to any Federal or federally-assisted cash, food, or medical assistance program for eligibility and other administrative purposes under such program, *for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs.*

* * * * *

(v)(I) *The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.*

(II) *Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable informa-*

tion derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.

* * * * *

TITLE XIX—GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS

* * * * *

STATE PLANS FOR MEDICAL ASSISTANCE

SEC. 1902. (a) A State plan for medical assistance must—

(1) * * *

* * * * *

(25) provide—

(A) * * *

(B) that in any case where such a legal liability is found to exist after medical assistance has been made available on behalf of the individual and where the amount of reimbursement the State can reasonably expect to recover exceeds the costs of such recovery, the State or local agency will seek reimbursement for such assistance [to the extent of such legal liability];

* * * * *

(E) that in the case of prenatal or preventive pediatric care (including early and periodic screening and diagnosis services under section 1905(a)(4)(B)) covered under the State plan, the State shall—

(i) make payment for such service in accordance with the usual payment schedule under such plan for such services without regard to the liability of a third party for payment for such services, *except that the State may, if the State determines doing so is cost-effective and will not adversely affect access to care, only make such payment if a third party so liable has not made payment within 90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services;* and

* * * * *

(F) that in the case of any services covered under such plan which are provided to an individual on whose behalf child support enforcement is being carried out by the State

agency under part D of title IV of this Act, the State shall—

(i) make payment for such service in accordance with the usual payment schedule under such plan for such services without regard to any third-party liability for payment for such services, if such third-party liability is derived (through insurance or otherwise) from the parent whose obligation to pay support is being enforced by such agency, if payment has not been made by such third party within ~~【30 days after such services are furnished】~~ *90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services, except that the State may make such payment within 30 days after such date if the State determines doing so is cost-effective and necessary to ensure access to care.*;

* * * * *

(H) that to the extent that payment has been made under the State plan for medical assistance in any case where a third party has a legal liability to make payment for such assistance, the State has in effect laws under which, to the extent that payment has been made under the State plan for medical assistance for health care items or services furnished to an individual, the State is considered to have acquired the rights of such individual to ~~【payment by any other party for such health care items or services】~~ *any payments by such third party*; and

* * * * *

ASSIGNMENT OF RIGHTS OF PAYMENT

SEC. 1912. (a) For the purpose of assisting in the collection of medical support payments and other payments for medical care owed to recipients of medical assistance under the State plan approved under this title, a State plan for medical assistance shall—

(1) provide that, as a condition of eligibility for medical assistance under the State plan to an individual who has the legal capacity to execute an assignment for himself, the individual is required—

(A) to assign the State any rights, of the individual or of any other person who is eligible for medical assistance under this title and on whose behalf the individual has the legal authority to execute an assignment of such rights, to support (specified as support for the purpose of medical care by a court or administrative order) and to ~~【payment for medical care from any third party】~~ *any payment from a third party that has a legal liability to pay for care and services available under the plan*;

* * * * *

LIENS, ADJUSTMENTS AND RECOVERIES, AND TRANSFERS OF ASSETS

SEC. 1917. (a)(1) No lien may be imposed against the property of any individual prior to his death on account of medical assistance paid or to be paid on his behalf under the State plan, except—

[(A) pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or]

(A) pursuant to—

(i) the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or

(ii) rights acquired by or assigned to the State in accordance with section 1902(a)(25)(H) or section 1912(a)(1)(A), or

* * * * *

**IMPROPER PAYMENTS ELIMINATION AND RECOVERY
IMPROVEMENT ACT OF 2012**

* * * * *

SEC. 5. DO NOT PAY INITIATIVE.

(a) PREPAYMENT AND PREAWARD PROCEDURES.—

(1) * * *

(2) DATABASES.—At a minimum and before issuing any payment and award, each agency shall review as appropriate the following databases to verify eligibility of the payment and award:

(A) * * *

* * * * *

(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act.

* * * * *

ENERGY POLICY ACT OF 2005

* * * * *

**TITLE IX—RESEARCH AND
DEVELOPMENT**

* * * * *

[Subtitle J—Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources

[SEC. 999A. PROGRAM AUTHORITY.

[(a) IN GENERAL.—The Secretary shall carry out a program under this subtitle of research, development, demonstration, and commercial application of technologies for ultra-deepwater and unconventional natural gas and other petroleum resource exploration and production, including addressing the technology challenges for small producers, safe operations, and environmental mitigation (including reduction of greenhouse gas emissions and sequestration of carbon).

[(b) PROGRAM ELEMENTS.—The program under this subtitle shall address the following areas, including improving safety and minimizing environmental impacts of activities within each area:

[(1) Ultra-deepwater architecture and technology, including drilling to formations in the Outer Continental Shelf to depths greater than 15,000 feet.

[(2) Unconventional natural gas and other petroleum resource exploration and production technology.

[(3) The technology challenges of small producers.

[(4) Complementary research performed by the National Energy Technology Laboratory for the Department.

[(c) LIMITATION ON LOCATION OF FIELD ACTIVITIES.—Field activities under the program under this subtitle shall be carried out only—

[(1) in—

[(A) areas in the territorial waters of the United States not under any Outer Continental Shelf moratorium as of September 30, 2002;

[(B) areas onshore in the United States on public land administered by the Secretary of the Interior available for oil and gas leasing, where consistent with applicable law and land use plans; and

[(C) areas onshore in the United States on State or private land, subject to applicable law; and

[(2) with the approval of the appropriate Federal or State land management agency or private land owner.

[(d) ACTIVITIES AT THE NATIONAL ENERGY TECHNOLOGY LABORATORY.—The Secretary, through the National Energy Technology Laboratory, shall carry out a program of research and other activities complementary to and supportive of the research programs under subsection (b).

[(e) CONSULTATION WITH SECRETARY OF THE INTERIOR.—In carrying out this subtitle, the Secretary shall consult regularly with the Secretary of the Interior.

[SEC. 999B. ULTRA-DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM RESEARCH AND DEVELOPMENT PROGRAM.

[(a) IN GENERAL.—The Secretary shall carry out the activities under section 999A, to maximize the value of natural gas and other petroleum resources of the United States, by increasing the supply

of such resources, through reducing the cost and increasing the efficiency of exploration for and production of such resources, while improving safety and minimizing environmental impacts.

[(b) ROLE OF THE SECRETARY.—The Secretary shall have ultimate responsibility for, and oversight of, all aspects of the program under this section.

[(c) ROLE OF THE PROGRAM CONSORTIUM.—

[(1) IN GENERAL.—The Secretary shall contract with a corporation that is structured as a consortium to administer the programmatic activities outlined in this chapter. The program consortium shall—

[(A) administer the program pursuant to subsection (f)(3), utilizing program administration funds only;

[(B) issue research project solicitations upon approval of the Secretary or the Secretary's designee;

[(C) make project awards to research performers upon approval of the Secretary or the Secretary's designee;

[(D) disburse research funds to research performers awarded under subsection (f) as directed by the Secretary in accordance with the annual plan under subsection (e); and

[(E) carry out other activities assigned to the program consortium by this section.

[(2) LIMITATION.—The Secretary may not assign any activities to the program consortium except as specifically authorized under this section.

[(3) CONFLICT OF INTEREST.—

[(A) PROCEDURES.—The Secretary shall establish procedures—

[(i) to ensure that each board member, officer, or employee of the program consortium who is in a decisionmaking capacity under subsection (f)(3) shall disclose to the Secretary any financial interests in, or financial relationships with, applicants for or recipients of awards under this section, including those of his or her spouse or minor child, unless such relationships or interests would be considered to be remote or inconsequential; and

[(ii) to require any board member, officer, or employee with a financial relationship or interest disclosed under clause (i) to recuse himself or herself from any oversight under subsection (f)(4) with respect to such applicant or recipient.

[(B) FAILURE TO COMPLY.—The Secretary may disqualify an application or revoke an award under this section if a board member, officer, or employee has failed to comply with procedures required under subparagraph (A)(ii).

[(d) SELECTION OF THE PROGRAM CONSORTIUM.—

[(1) IN GENERAL.—The Secretary shall select the program consortium through an open, competitive process.

[(2) MEMBERS.—The program consortium may include corporations, trade associations, institutions of higher education, National Laboratories, or other research institutions. After

submitting a proposal under paragraph (4), the program consortium may not add members without the consent of the Secretary.

[(3) REQUIREMENT OF SECTION 501(c)(3) STATUS.—The Secretary shall not select a consortium under this section unless such consortium is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under such section 501(a) of such Code.

[(4) SCHEDULE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall solicit proposals from eligible consortia to perform the duties in subsection (c)(1), which shall be submitted not later than 180 days after the date of enactment of this Act. The Secretary shall select the program consortium not later than 270 days after such date of enactment.

[(5) APPLICATION.—Applicants shall submit a proposal including such information as the Secretary may require. At a minimum, each proposal shall—

[(A) list all members of the consortium;

[(B) fully describe the structure of the consortium, including any provisions relating to intellectual property; and

[(C) describe how the applicant would carry out the activities of the program consortium under this section.

[(6) ELIGIBILITY.—To be eligible to be selected as the program consortium, an applicant must be an entity whose members have collectively demonstrated capabilities and experience in planning and managing research, development, demonstration, and commercial application programs for ultra-deepwater and unconventional natural gas or other petroleum exploration or production.

[(7) FOCUS AREAS FOR AWARDS.—

[(A) ULTRA-DEEPWATER RESOURCES.—Awards from allocations under section 999H(d)(1) shall focus on the development and demonstration of individual exploration and production technologies as well as integrated systems technologies including new architectures for production in ultra-deepwater.

[(B) UNCONVENTIONAL RESOURCES.—Awards from allocations under section 999H(d)(2) shall focus on areas including advanced coalbed methane, deep drilling, natural gas production from tight sands, natural gas production from gas shales, stranded gas, innovative exploration and production techniques, enhanced recovery techniques, and environmental mitigation of unconventional natural gas and other petroleum resources exploration and production.

[(C) SMALL PRODUCERS.—Awards from allocations under section 999H(d)(3) shall be made to consortia consisting of small producers or organized primarily for the benefit of small producers, and shall focus on areas including complex geology involving rapid changes in the type and quality of the oil and gas reservoirs across the reservoir; low reservoir pressure; unconventional natural gas reservoirs in coalbeds, deep reservoirs, tight sands, or

shales; and unconventional oil reservoirs in tar sands and oil shales.

[(e) ANNUAL PLAN.—

[(1) IN GENERAL.—The program under this section shall be carried out pursuant to an annual plan prepared by the Secretary in accordance with paragraph (2).

[(2) DEVELOPMENT.—

[(A) SOLICITATION OF RECOMMENDATIONS.—Before drafting an annual plan under this subsection, the Secretary shall solicit specific written recommendations from the program consortium for each element to be addressed in the plan, including those described in paragraph (4). The program consortium shall submit its recommendations in the form of a draft annual plan.

[(B) SUBMISSION OF RECOMMENDATIONS; OTHER COMMENT.—The Secretary shall submit the recommendations of the program consortium under subparagraph (A) to the Ultra-Deepwater Advisory Committee established under section 999D(a) and to the Unconventional Resources Technology Advisory Committee established under section 999D(b), and such Advisory Committees shall provide to the Secretary written comments by a date determined by the Secretary. The Secretary may also solicit comments from any other experts.

[(C) CONSULTATION.—The Secretary shall consult regularly with the program consortium throughout the preparation of the annual plan.

[(3) PUBLICATION.—The Secretary shall transmit to Congress and publish in the Federal Register the annual plan, along with any written comments received under paragraph (2)(A) and (B).

[(4) CONTENTS.—The annual plan shall describe the ongoing and prospective activities of the program under this section and shall include—

[(A) a list of any solicitations for awards to carry out research, development, demonstration, or commercial application activities, including the topics for such work, who would be eligible to apply, selection criteria, and the duration of awards; and

[(B) a description of the activities expected of the program consortium to carry out subsection (f)(3).

[(5) ESTIMATES OF INCREASED ROYALTY RECEIPTS.—The Secretary, in consultation with the Secretary of the Interior, shall provide an annual report to Congress with the President's budget on the estimated cumulative increase in Federal royalty receipts (if any) resulting from the implementation of this subtitle. The initial report under this paragraph shall be submitted in the first President's budget following the completion of the first annual plan required under this subsection.

[(f) AWARDS.—

[(1) IN GENERAL.—Upon approval of the Secretary the program consortium shall make awards to research performers to carry out research, development, demonstration, and commercial application activities under the program under this sec-

tion. The program consortium shall not be eligible to receive such awards, but provided that conflict of interest procedures in section 999B(c)(3) are followed, entities who are members of the program consortium are not precluded from receiving research awards as either individual research performers or as research performers who are members of a research collaboration.

[(2) PROPOSALS.—Upon approval of the Secretary the program consortium shall solicit proposals for awards under this subsection in such manner and at such time as the Secretary may prescribe, in consultation with the program consortium.

[(3) OVERSIGHT.—

[(A) IN GENERAL.—The program consortium shall oversee the implementation of awards under this subsection, consistent with the annual plan under subsection (e), including disbursing funds and monitoring activities carried out under such awards for compliance with the terms and conditions of the awards.

[(B) EFFECT.—Nothing in subparagraph (A) shall limit the authority or responsibility of the Secretary to oversee awards, or limit the authority of the Secretary to review or revoke awards.

[(g) ADMINISTRATIVE COSTS.—

[(1) IN GENERAL.—To compensate the program consortium for carrying out its activities under this section, the Secretary shall provide to the program consortium funds sufficient to administer the program. This compensation may include a management fee consistent with Department of Energy contracting practices and procedures.

[(2) ADVANCE.—The Secretary shall advance funds to the program consortium upon selection of the consortium, which shall be deducted from amounts to be provided under paragraph (1).

[(h) AUDIT.—The Secretary shall retain an independent auditor, which shall include a review by the General Accountability Office, to determine the extent to which funds provided to the program consortium, and funds provided under awards made under subsection (f), have been expended in a manner consistent with the purposes and requirements of this subtitle. The auditor shall transmit a report (including any review by the General Accountability Office) annually to the Secretary, who shall transmit the report to Congress, along with a plan to remedy any deficiencies cited in the report.

[(i) ACTIVITIES BY THE UNITED STATES GEOLOGICAL SURVEY.—The Secretary of the Interior, through the United States Geological Survey, shall, where appropriate, carry out programs of long-term research to complement the programs under this section.

[(j) PROGRAM REVIEW AND OVERSIGHT.—The National Energy Technology Laboratory, on behalf of the Secretary, shall (1) issue a competitive solicitation for the program consortium, (2) evaluate, select, and award a contract or other agreement to a qualified program consortium, and (3) have primary review and oversight responsibility for the program consortium, including review and approval of research awards proposed to be made by the program con-

sortium, to ensure that its activities are consistent with the purposes and requirements described in this subtitle. Up to 5 percent of program funds allocated under paragraphs (1) through (3) of section 999H(d) may be used for this purpose, including program direction and the establishment of a site office if determined to be necessary to carry out the purposes of this subsection.

[SEC. 999C. ADDITIONAL REQUIREMENTS FOR AWARDS.

[(a) DEMONSTRATION PROJECTS.—An application for an award under this subtitle for a demonstration project shall describe with specificity the intended commercial use of the technology to be demonstrated.

[(b) FLEXIBILITY IN LOCATING DEMONSTRATION PROJECTS.—Subject to the limitation in section 999A(c), a demonstration project under this subtitle relating to an ultra-deepwater technology or an ultra-deepwater architecture may be conducted in deepwater depths.

[(c) INTELLECTUAL PROPERTY AGREEMENTS.—If an award under this subtitle is made to a consortium (other than the program consortium), the consortium shall provide to the Secretary a signed contract agreed to by all members of the consortium describing the rights of each member to intellectual property used or developed under the award.

[(d) TECHNOLOGY TRANSFER.—Two and one-half percent of the amount of each award made under this subtitle shall be designated for technology transfer and outreach activities under this subtitle.

[(e) COST SHARING REDUCTION FOR INDEPENDENT PRODUCERS.—In applying the cost sharing requirements under section 988 to an award under this subtitle the Secretary may reduce or eliminate the non-Federal requirement if the Secretary determines that the reduction is necessary and appropriate considering the technological risks involved in the project.

[(f) INFORMATION SHARING.—All results of the research administered by the program consortium shall be made available to the public consistent with Department policy and practice on information sharing and intellectual property agreements.

[SEC. 999D. ADVISORY COMMITTEES.

[(a) ULTRA-DEEPWATER ADVISORY COMMITTEE.—

[(1) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the Ultra-Deepwater Advisory Committee.

[(2) MEMBERSHIP.—The Advisory Committee under this subsection shall be composed of members appointed by the Secretary, including—

[(A) individuals with extensive research experience or operational knowledge of offshore natural gas and other petroleum exploration and production;

[(B) individuals broadly representative of the affected interests in ultra-deepwater natural gas and other petroleum production, including interests in environmental protection and safe operations;

[(C) no individuals who are Federal employees; and

[(D) no individuals who are board members, officers, or employees of the program consortium.

[(3) DUTIES.—The Advisory Committee under this subsection shall—

[(A) advise the Secretary on the development and implementation of programs under this subtitle related to ultra-deepwater natural gas and other petroleum resources; and

[(B) carry out section 999B(e)(2)(B).

[(4) COMPENSATION.—A member of the Advisory Committee under this subsection shall serve without compensation but shall receive travel expenses in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

[(b) UNCONVENTIONAL RESOURCES TECHNOLOGY ADVISORY COMMITTEE.—

[(1) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the Unconventional Resources Technology Advisory Committee.

[(2) MEMBERSHIP.—The Secretary shall endeavor to have a balanced representation of members on the Advisory Committee to reflect the breadth of geographic areas of potential gas supply. The Advisory Committee under this subsection shall be composed of members appointed by the Secretary, including—

[(A) a majority of members who are employees or representatives of independent producers of natural gas and other petroleum, including small producers;

[(B) individuals with extensive research experience or operational knowledge of unconventional natural gas and other petroleum resource exploration and production;

[(C) individuals broadly representative of the affected interests in unconventional natural gas and other petroleum resource exploration and production, including interests in environmental protection and safe operations;

[(D) individuals with expertise in the various geographic areas of potential supply of unconventional on-shore natural gas and other petroleum in the United States;

[(E) no individuals who are Federal employees; and

[(F) no individuals who are board members, officers, or employees of the program consortium.

[(3) DUTIES.—The Advisory Committee under this subsection shall—

[(A) advise the Secretary on the development and implementation of activities under this subtitle related to unconventional natural gas and other petroleum resources; and

[(B) carry out section 999B(e)(2)(B).

[(4) COMPENSATION.—A member of the Advisory Committee under this subsection shall serve without compensation but shall receive travel expenses in accordance with applicable

provisions under subchapter I of chapter 57 of title 5, United States Code.

[(c) PROHIBITION.—No advisory committee established under this section shall make recommendations on funding awards to particular consortia or other entities, or for specific projects.

[SEC. 999E. LIMITS ON PARTICIPATION.

[An entity shall be eligible to receive an award under this subtitle only if the Secretary finds—

[(1) that the entity's participation in the program under this subtitle would be in the economic interest of the United States; and

[(2) that either—

[(A) the entity is a United States-owned entity organized under the laws of the United States; or

[(B) the entity is organized under the laws of the United States and has a parent entity organized under the laws of a country that affords—

[(i) to United States-owned entities opportunities, comparable to those afforded to any other entity, to participate in any cooperative research venture similar to those authorized under this subtitle;

[(ii) to United States-owned entities local investment opportunities comparable to those afforded to any other entity; and

[(iii) adequate and effective protection for the intellectual property rights of United States-owned entities.

[SEC. 999F. SUNSET.

[The authority provided by this subtitle shall terminate on September 30, 2014.

[SEC. 999G. DEFINITIONS.

[In this subtitle:

[(1) DEEPWATER.—The term “deepwater” means a water depth that is greater than 200 but less than 1,500 meters.

[(2) INDEPENDENT PRODUCER OF OIL OR GAS.—

[(A) IN GENERAL.—The term “independent producer of oil or gas” means any person that produces oil or gas other than a person to whom subsection (c) of section 613A of the Internal Revenue Code of 1986 does not apply by reason of paragraph (2) (relating to certain retailers) or paragraph (4) (relating to certain refiners) of section 613A(d) of such Code.

[(B) RULES FOR APPLYING PARAGRAPHS (2) AND (4) OF SECTION 613A(d).—For purposes of subparagraph (A), paragraphs (2) and (4) of section 613A(d) of the Internal Revenue Code of 1986 shall be applied by substituting “calendar year” for “taxable year” each place it appears in such paragraphs.

[(3) PROGRAM ADMINISTRATION FUNDS.—The term “program administration funds” means funds used by the program consortium to administer the program under this subtitle, but not to exceed 10 percent of the total funds allocated under paragraphs (1) through (3) of section 999H(d).

[(4) PROGRAM CONSORTIUM.—The term “program consortium” means the consortium selected under section 999B(d).

[(5) PROGRAM RESEARCH FUNDS.—The term “program research funds” means funds awarded to research performers by the program consortium consistent with the annual plan.

[(6) REMOTE OR INCONSEQUENTIAL.—The term “remote or inconsequential” has the meaning given that term in regulations issued by the Office of Government Ethics under section 208(b)(2) of title 18, United States Code.

[(7) SMALL PRODUCER.—The term “small producer” means an entity organized under the laws of the United States with production levels of less than 1,000 barrels per day of oil equivalent.

[(8) ULTRA-DEEPWATER.—The term “ultra-deepwater” means a water depth that is equal to or greater than 1,500 meters.

[(9) ULTRA-DEEPWATER ARCHITECTURE.—The term “ultra-deepwater architecture” means the integration of technologies for the exploration for, or production of, natural gas or other petroleum resources located at ultra-deepwater depths.

[(10) ULTRA-DEEPWATER TECHNOLOGY.—The term “ultra-deepwater technology” means a discrete technology that is specially suited to address one or more challenges associated with the exploration for, or production of, natural gas or other petroleum resources located at ultra-deepwater depths.

[(11) UNCONVENTIONAL NATURAL GAS AND OTHER PETROLEUM RESOURCE.—The term “unconventional natural gas and other petroleum resource” means natural gas and other petroleum resource located onshore in an economically inaccessible geological formation, including resources of small producers.

[SEC. 999H. FUNDING.

[(a) OIL AND GAS LEASE INCOME.—For each of fiscal years 2007 through 2017, from any Federal royalties, rents, and bonuses derived from Federal onshore and offshore oil and gas leases issued under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.) which are deposited in the Treasury, and after distribution of any such funds as described in subsection (c), \$50,000,000 shall be deposited into the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund (in this section referred to as the “Fund”). For purposes of this section, the term “royalties” excludes proceeds from the sale of royalty production taken in kind and royalty production that is transferred under section 27(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1353(a)(3)).

[(b) OBLIGATIONAL AUTHORITY.—Monies in the Fund shall be available to the Secretary for obligation under this part without fiscal year limitation, to remain available until expended.

[(c) PRIOR DISTRIBUTIONS.—The distributions described in subsection (a) are those required by law—

[(1) to States and to the Reclamation Fund under the Mineral Leasing Act (30 U.S.C. 191(a)); and

[(2) to other funds receiving monies from Federal oil and gas leasing programs, including—

[(A) any recipients pursuant to section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g));

[(B) the Land and Water Conservation Fund, pursuant to section 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c));

[(C) the Historic Preservation Fund, pursuant to section 108 of the National Historic Preservation Act (16 U.S.C. 470h); and

[(D) the coastal impact assistance program established under section 31 of the Outer Continental Shelf Lands Act (as amended by section 384).

[(d) ALLOCATION.—Amounts obligated from the Fund under subsection (a)(1) in each fiscal year shall be allocated as follows:

[(1) 35 percent shall be for activities under section 999A(b)(1).

[(2) 32.5 percent shall be for activities under section 999A(b)(2).

[(3) 7.5 percent shall be for activities under section 999A(b)(3).

[(4) 25 percent shall be for complementary research under section 999A(b)(4) and other activities under section 999A(b) to include program direction funds, overall program oversight, contract management, and the establishment and operation of a technical committee to ensure that in-house research activities funded under section 999A(b)(4) are technically complementary to, and not duplicative of, research conducted under paragraphs (1), (2), and (3) of section 999A(b).

[(e) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts that are made available to carry out this section, there is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2007 through 2016.

[(f) FUND.—There is hereby established in the Treasury of the United States a separate fund to be known as the “Ultra-Deep-water and Unconventional Natural Gas and Other Petroleum Research Fund”.]

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MINERAL LEASING ACT

* * * * *

SEC. 35. (a) * * *

[(b) In determining the amount of payments to the States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States.]

(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the pro-

gram authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.

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OUTER CONTINENTAL SHELF LANDS ACT

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SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

(a) *AUTHORIZATION.*—After the date of enactment of the Bipartisan Budget Act of 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and ensure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

(b) *IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.*—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

(2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;

(3) taking actions consistent with an expert determination under the agreement; and

(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

(c) *SAVINGS PROVISIONS.*—Nothing in this section shall be construed—

(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border

with Cuba or the area known by the Department of the Interior as the "Eastern Gap"; or

(2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.

FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT OF 1982

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TITLE I—FEDERAL ROYALTY MANAGEMENT AND ENFORCEMENT

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ROYALTY TERMS AND CONDITIONS, INTEREST, AND PENALTIES

SEC. 111. (a) * * *

* * * * *

[(i) Upon a determination by the Secretary that an excessive overpayment (based upon all obligations of a lessee or its designee for a given reporting month) was made for the sole purpose of receiving interest, interest shall not be paid on the excessive amount of such overpayment. For purposes]

(i) LIMITATION ON INTEREST.—

(1) IN GENERAL.—Interest shall not be paid on any excessive overpayment.

(2) EXCESSIVE OVERPAYMENT DEFINED.—For purposes of this Act, an "excessive overpayment" shall be the amount that any overpayment a lessee or its designee pays for a given reporting month (excluding payments for demands for obligations determined to be due as a result of judicial or administrative proceedings or agreed to be paid pursuant to settlement agreements) for the aggregate of all of its Federal leases exceeds 10 percent of the total royalties paid that month for those leases.

* * * * *

ENERGY POLICY AND CONSERVATION ACT

* * * * *

TITLE I—MATTERS RELATED TO DOMESTIC SUPPLY AVAILABILITY

* * * * *

PART B—STRATEGIC PETROLEUM RESERVE

* * * * *

PETROLEUM PRODUCTS FOR STORAGE IN THE RESERVE

SEC. 160. [(a) The Secretary may acquire, place in storage, transport, or exchange—

[(1) crude oil produced from Federal lands

[(2) crude oil which the United States is entitled to receive in kind as royalties from production on Federal lands; and

[(3) petroleum products acquired by purchase, exchange, or otherwise.]

(a) *The Secretary may acquire, place in storage, transport, or exchange petroleum products acquired by purchase or exchange.*

* * * * *

TITLE 5, UNITED STATES CODE

* * * * *

PART III—EMPLOYEES

* * * * *

SUBPART G—INSURANCE AND ANNUITIES

* * * * *

CHAPTER 84—FEDERAL EMPLOYEES’ RETIREMENT SYSTEM

* * * * *

SUBCHAPTER I—GENERAL PROVISIONS

§ 8401. Definitions

For the purpose of this chapter—

(1) * * *

* * * * *

(36) the term “customs and border protection officer” means an employee in the Department of Homeland Security (A) who holds a position within the GS-1895 job series (determined applying the criteria in effect as of September 1, 2007) or any successor position, and (B) whose duties include activities relating to the arrival and departure of persons, conveyances, and merchandise at ports of entry, including any such employee who is transferred directly to a supervisory or administrative position in the Department of Homeland Security after performing such duties (as described in subparagraph (B)) in 1 or more positions (as described in subparagraph (A)) for at least 3 years; [and]

(37) the term “revised annuity employee” means any individual who—

(A) * * *

(B) after December 31, 2012, and before January 1, 2014, becomes employed as an employee or becomes a

Member covered under this chapter performing service which is creditable service under section 8411[.]; and (38) the term “further revised annuity employee” means any individual who—

(A) on December 31, 2013—

(i) is not an employee or Member covered under this chapter;

(ii) is not performing civilian service which is creditable service under section 8411; and

(iii) has less than 5 years of creditable civilian service under section 8411; and

(B) after December 31, 2013, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.

* * * * *

SUBCHAPTER II—BASIC ANNUITY

* * * * *

§ 8415. Computation of basic annuity

(a) * * *

* * * * *

(d) Notwithstanding any other provision of law, the annuity of an individual described in subsection (b) or (c) who is a revised annuity employee or a further revised annuity employee shall be computed in the same manner as in the case of an individual described in subsection (a).

* * * * *

§ 8422. Deductions from pay; contributions for other service; deposits

(a)(1) * * *

* * * * *

(3)(A) The applicable percentage under this paragraph for civilian service by employees or Members other than revised annuity employees or further revised annuity employees shall be as follows:

Employee	7	January 1, 1987, to December 31, 1998.
	7.25	January 1, 1999, to December 31, 1999.
	7.4	January 1, 2000, to December 31, 2000.
Congressional employee	7	After December 31, 2000.
	7.5	January 1, 1987, to December 31, 1998.
	7.75	January 1, 1999, to December 31, 1999.
	7.9	January 1, 2000, to December 31, 2000.

Member	7.5 7.5 7.75 7.9 8 7.5	After December 31, 2000. January 1, 1987, to December 31, 1998. January 1, 1999, to December 31, 1999. January 1, 2000, to December 31, 2000. January 1, 2001, to December 31, 2002. After December 31, 2002.
Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller	7.5 7.5 7.75 7.9 7.5	After December 31, 2002. January 1, 1987, to December 31, 1998. January 1, 1999, to December 31, 1999. January 1, 2000, to December 31, 2000. After December 31, 2000.
Nuclear materials courier	7 7.5 7.75 7.9	January 1, 1987, to October 16, 1998. October 17, 1998, to December 31, 1998. January 1, 1999, to December 31, 1999. January 1, 2000, to December 31, 2000.
Customs and border protection officer	7.5 7.5	After December 31, 2000. After June 29, 2008.

* * * * *

(C) The applicable percentage under this paragraph for civilian service by further revised annuity employees shall be as follows:

<i>Employee</i>	<i>10.6</i>	<i>After December 31, 2013.</i>
<i>Congressional employee</i>	<i>10.6</i>	<i>After December 31, 2013.</i>
<i>Member</i>	<i>10.6</i>	<i>After December 31, 2013.</i>
<i>Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller</i>	<i>11.1</i>	<i>After December 31, 2013.</i>
<i>Nuclear materials courier ...</i>	<i>11.1</i>	<i>After December 31, 2013.</i>
<i>Customs and border protection officer</i>	<i>11.1</i>	<i>After December 31, 2013.</i>

* * * * *

§ 8423. Government contributions

(a)(1) * * *

[(2)] (2)(A) In determining any normal-cost percentage to be applied under this subsection, amounts provided for under section 8422 shall be taken into account.

* * * * *

(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this subsection shall be determined and applied as if

section 401(b) of the Bipartisan Budget Act of 2013 had not been enacted.

(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.

* * * * *

CHAPTER 89—HEALTH INSURANCE

* * * * *

§ 8905. Election of coverage

[(a) An employee may enroll in an approved health benefits plan described by section 8903 or 8903a of this title either as an individual or for self and family.]

(a) An employee may enroll in an approved health benefits plan described in section 8903 or 8903a—

- (1) as an individual;
- (2) for self plus one; or
- (3) for self and family.

* * * * *

(c)(1) A former spouse may—

(A) * * *

(B) in the case of a former spouse of a former employee whose marriage was dissolved after the employee’s retirement, within 60 days after the dissolution of the marriage or, if later, within 60 days after an election is made under section 8339(j)(3) or 8417(b) of this title for such former spouse by the retired employee,

enroll in an approved health benefits plan described by section 8903 or 8903a of this title as an individual or for *for self plus one* or self and family as provided in paragraph (2) of this subsection, subject to agreement to pay the full subscription charge of the enrollment, including the amounts determined by the Office to be necessary for administration and reserves pursuant to section 8909(b) of this title. The former spouse shall submit an enrollment application and make premium payments to the agency which, at the time of divorce or annulment, employed the employee to whom the former spouse was married or, in the case of a former spouse who is receiving annuity payments under section 8341(h), 8345(j), 8445, or 8467 of this title, to the Office of Personnel Management.

(2) Coverage *for self plus one* or for self and family under this subsection shall be limited to—

(A) * * *

(B) unmarried dependent natural or adopted children (*or, in the case of self plus one coverage, not more than 1 such child*) of the former spouse and the employee who are—

* * * * *

(e) If an employee, annuitant, or other individual eligible to enroll in a health benefits plan under this chapter has a spouse who is also eligible to enroll, either spouse, but not both, may enroll for self and family, **[or each spouse may enroll as an individual]** *or for a self plus one enrollment that covers the spouse, or each spouse may enroll as an individual or for a self plus one enrollment that does not cover the other spouse or a child who is covered under the enrollment of the other spouse.* However, an individual may not be enrolled both as an employee, annuitant, or other individual eligible to enroll and as a member of the family.

* * * * *

(h)(1) An unenrolled employee who is required by a court or administrative order to provide health insurance coverage for **[a child]** *1 or more children* who meets the requirements of section 8901(5) may enroll for **[self and family coverage]** *self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order,* in a health benefits plan under this chapter. If such employee fails to enroll for **[self and family coverage]** *self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order,* in a health benefits plan that provides full benefits and services in the location in which **[the child resides]** *the child or children reside,* and the employee does not provide documentation showing that such coverage has been provided through other health insurance, the employing agency shall enroll the employee in a **[self and family enrollment]** *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,* in the option which provides the lower level of coverage under the Service Benefit Plan.

(2) An employee who is enrolled as an individual in a health benefits plan under this chapter and who is required by a court or administrative order to provide health insurance coverage for **[a child]** *1 or more children* who meets the requirements of section 8901(5) may change to a **[self and family enrollment]** *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,* in the same or another health benefits plan under this chapter. If such employee fails to change to a **[self and family enrollment]** *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,* and the employee does not provide documentation showing that such coverage has been provided through other health insurance, the employing agency shall change the enrollment of the employee to a **[self and family enrollment]** *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,* in the plan in which the employee is enrolled if that plan provides full benefits and services in the location where **[the child resides]** *the child or children reside.*

If the plan in which the employee is enrolled does not provide full benefits and services in the location in which [the child resides] *the child or children reside*, or, if the employee fails to change to a [self and family enrollment] *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order*, in a plan that provides full benefits and services in the location where [the child resides] *the child or children reside*, the employing agency shall change the coverage of the employee to a [self and family enrollment] *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order*, in the option which provides the lower level of coverage under the Service Benefits Plan.

(3) The employee may not discontinue the [self and family enrollment] *self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order*, in a plan that provides full benefits and services in the location in which [the child resides] *the child or children reside* for so long as the court or administrative order remains in effect and [the child continues] *the child or children continue* to meet the requirements of section 8901(5), unless the employee provides documentation showing that such coverage has been provided through other health insurance.

§ 8905a. Continued coverage

(a) * * *

* * * * *

(d)(1) * * *

* * * * *

(3)(A) An individual making an election under subsection (c)(2)(B) may, at such individual's option, elect coverage either as an individual or, if appropriate, *for self plus one or for self and family*.

* * * * *

(f)(1) * * *

* * * * *

(3) In the case of an individual—

(A) who becomes eligible for continued coverage under this subsection based on a divorce, annulment, or legal separation from a person who, as of the day before the date of the divorce, annulment, or legal separation (as the case may be) was receiving continued coverage under this section [for self and family based on such person's separation from service] *based on such person's separation from service under a self plus one enrollment that covered the individual or under a self and family enrollment*; and

* * * * *

extended coverage under this section may not extend beyond the date which is 36 months after the date of the separation from service, as referred to in subparagraph (A).

§ 8906. Contributions

(a)(1) Not later than October 1 of each year, the Office of Personnel Management shall determine the weighted average of the subscription charges that will be in effect during the following contract year with respect to—

- (A) enrollments under this chapter for self alone; **[and]**
- (B) enrollments under this chapter for self plus one; and*
- [(B)]** *(C) enrollments under this chapter for self and family.*

* * * * *

FOREIGN SERVICE ACT OF 1980

* * * * *

TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

* * * * *

CHAPTER 8—FOREIGN SERVICE RETIREMENT AND DISABILITY

* * * * *

SUBCHAPTER II—FOREIGN SERVICE PENSION SYSTEM

* * * * *

SEC. 852. DEFINITIONS.—As used in this subchapter, unless otherwise specified—

(1) * * *

* * * * *

(7) the term “revised annuity participant” means any individual who—

(A) * * *

(B) after December 31, 2012, and before January 1, 2014, becomes a participant performing service which is creditable service under section 854;

(8) the term “further revised annuity participant” means any individual who—

(A) on December 31, 2013—

(i) is not a participant;

(ii) is not performing service which is creditable service under section 854; and

(iii) has less than 5 years creditable service under section 854; and

(B) after December 31, 2013, becomes a participant performing service which is creditable service under section 854;

[(8)] (9) the term “supplemental liability” means the estimated excess of—

(A) * * *

* * * * *

[(9)] (10) the term “System” means the Foreign Service Pension System; and

[(10)] (11) the term “special agent” has the same meaning given in section 804(15).

* * * * *
SEC. 856. DEDUCTIONS AND WITHHOLDINGS FROM PAY.—(a)(1)
* * *

(2)(A) The applicable percentage for a participant other than a revised annuity participant or a further revised annuity participant shall be as follows:

- 7.5 Before January 1, 1999.
- 7.75 January 1, 1999, to December 31, 1999.
- 7.9 January 1, 2000, to December 31, 2000.
- 7.55 After January 11, 2003.

* * * * *
(C) The applicable percentage for a further revised annuity participant shall be as follows:

11.15 After December 31, 2013.

* * * * *
SEC. 857. GOVERNMENT CONTRIBUTIONS.—(a) * * * * *
* * * * *

(c)(1) Subject to paragraphs (2) and (3), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this section shall be determined and applied as if section 402(b) of the Bipartisan Budget Act of 2013 had not been enacted.

(2) Any contributions under this section in excess of the amounts which (but for paragraph (1)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Foreign Service Retirement and Disability System.

(3) After the unfunded liability of the Foreign Service Retirement and Disability System has been eliminated, as determined by the Secretary of State, Government contributions under this section shall be determined and made disregarding this subsection.

* * * * *

TITLE 10, UNITED STATES CODE

SUBTITLE A—GENERAL MILITARY LAW

* * * * *

PART II—PERSONNEL

* * * * *

CHAPTER 71—COMPUTATION OF RETIRED PAY

* * * * *

§ 1401a. Adjustment of retired pay and retainer pay to reflect changes in Consumer Price Index

(a) * * *

(b) COST-OF-LIVING ADJUSTMENTS BASED ON CPI INCREASES.—

(1) INCREASE REQUIRED.—Effective on December 1 of each year, the Secretary of Defense shall increase the retired pay of members and former members entitled to that pay in accordance with ~~paragraphs (2) and (3)~~ *paragraph (2), (3), or (4)*.

* * * * *

(4) *REDUCED PERCENTAGE FOR RETIRED MEMBERS UNDER AGE 62.*—

(A) *IN GENERAL.*—Effective on December 1 of each year, the retired pay of each member and former member under 62 years of age entitled to that pay shall be adjusted in accordance with this paragraph instead of paragraph (2) or (3).

(B) *CPI MINUS ONE.*—If the percent determined under paragraph (2) is greater than 1 percent, the Secretary shall increase the retired pay of each member and former member by the difference between—

(i) the percent determined under paragraph (2);
and

(ii) 1 percent.

(C) *NO NEGATIVE ADJUSTMENT.*—If the percent determined under paragraph (2) is equal to or less than 1 percent, the Secretary shall not increase the retired pay of members and former members under this paragraph.

(D) *REVISED ADJUSTMENT UPON REACHING AGE 62.*—When a member or former member whose retired pay has been subject to adjustment under this paragraph becomes 62 years of age, the Secretary of Defense shall recompute the retired pay of the member or former member, to be effective on the date of the next adjustment of retired pay under this subsection, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if increases in the retired pay of the member or former member had been computed as provided in paragraph (2) or as specified in section 1410 of this title, as applicable, rather than this paragraph.

(E) *INAPPLICABILITY OF CATCH-UP RULE.*—Paragraph (5) shall not apply in the case of adjustments made, or not made, as a result of application of this paragraph.

~~[(4)]~~ (5) *SPECIAL RULE FOR PARAGRAPH (3).*—If in any case in which an increase in retired pay that would otherwise be made under paragraph (3) is not made by reason of law (other than any provision of this section), then (unless otherwise provided by law) when the next increase in retired pay is made under this subsection, the increase under paragraph (3) shall be carried out so as to achieve the same net increase in retired

pay under that paragraph that would have been the case if that law had not been enacted.

[(5)] (6) REGULATIONS.—Any increase in retired pay under this subsection shall be made in accordance with regulations prescribed by the Secretary of Defense.

* * * * *

§ 1410. Restoral of full retirement amount at age 62 for certain members entering on or after August 1, 1986

In the case of a member or former member who first became a member of a uniformed service on or after August 1, 1986, who has elected to receive a bonus under section 322 (as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2008) or section 354 of title 37, and who becomes entitled to retired pay before the age of 62, the retired pay of such member or former member shall be recomputed, effective on the first day of the first month beginning after the member or former member attains 62 years of age, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if—

(1) increases in the retired pay of the member or former member under section 1401a(b) of this title had been computed as provided in paragraph (2) of that section (rather than under [paragraph (3)] *paragraph (3) or (4)* of that section); and

* * * * *

PART IV—SERVICE, SUPPLY, AND PROCUREMENT

* * * * *

CHAPTER 137—PROCUREMENT GENERALLY

* * * * *

§ 2324. Allowable costs under defense contracts

(a) * * *

* * * * *

(e) SPECIFIC COSTS NOT ALLOWABLE.—(1) The following costs are not allowable under a covered contract:

(A) * * *

* * * * *

[(P) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds the benchmark compensation amount determined applicable for the fiscal year by the Administrator for Federal Procurement Policy under section 1127 of title 41, except that the Secretary of Defense may establish one or more narrowly targeted exceptions for scientists and engineers upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities.]

(P) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

* * * * *

HIGHER EDUCATION ACT OF 1965

* * * * *

TITLE IV—STUDENT ASSISTANCE

* * * * *

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

* * * * *

SEC. 428F. DEFAULT REDUCTION PROGRAM.

(a) OTHER REPAYMENT INCENTIVES.—

(1) SALE OR ASSIGNMENT OF LOAN.—

(A) IN GENERAL.—Each guaranty agency, upon securing 9 payments made within 20 days of the due date during 10 consecutive months of amounts owed on a loan for which the Secretary has made a payment under paragraph (1) of section 428(c), shall—

(i) * * *

[(ii) on or before September 30, 2011, assign the loan to the Secretary if—

[(I) the Secretary has determined that market conditions unduly limit a guaranty agency’s ability to sell loans under clause (i); and

[(II) the guaranty agency has been unable to sell loans under clause (i).]

(ii) beginning July 1, 2014, assign the loan to the Secretary if the guaranty agency has been unable to sell the loan under clause (i).

* * * * *

(D) DUTIES UPON SALE.—With respect to a loan sold under subparagraph (A)(i)—

[(i) the guaranty agency—

[(I) shall repay the Secretary 81.5 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

[(II) may, in order to defray collection costs—
[(aa) charge to the borrower an amount not to exceed 18.5 percent of the outstanding principal and interest at the time of the loan sale; and

[(bb) retain such amount from the proceeds of the loan sale; and]

(i) the guaranty agency—

(I) shall, in the case of a sale made on or after July 1, 2014, repay the Secretary 100 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

(II) may, in the case of a sale made on or after July 1, 2014, in order to defray collection costs—

(aa) charge to the borrower an amount not to exceed 16 percent of the outstanding principal and interest at the time of the loan sale; and

(bb) retain such amount from the proceeds of the loan sale; and

* * * * *

PART D—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

* * * * *

SEC. 456. CONTRACTS.

(a) CONTRACTS FOR SUPPLIES AND SERVICES.—

(1) * * *

* * * * *

[(4) SERVICING BY ELIGIBLE NOT-FOR-PROFIT SERVICERS.—

[(A) SERVICING CONTRACTS.—

[(i) IN GENERAL.—The Secretary shall contract with each eligible not-for-profit servicer to service loans originated under this part, if the servicer—

[(I) meets the standards for servicing Federal assets that apply to contracts awarded pursuant to paragraph (1); and

[(II) has the capacity to service the applicable loan volume allocation described in subparagraph (B).

[(ii) COMPETITIVE MARKET RATE DETERMINATION FOR FIRST 100,000 BORROWER ACCOUNTS.—The Secretary shall establish a separate pricing tier for each of the first 100,000 borrower loan accounts at a competitive market rate.

[(iii) INELIGIBILITY.—An eligible not-for-profit servicer shall no longer be eligible for a contract under this paragraph after July 1, 2014, if—

[(I) the servicer has not been awarded such a contract before that date; or

[(II) the servicer's contract was terminated, and the servicer had not reapplied for, and been awarded, a contract under this paragraph.

[(B) ALLOCATIONS.—

[(i) IN GENERAL.—The Secretary shall (except as provided in clause (ii)) allocate to an eligible not-for-profit servicer, subject to the contract of such servicer described in subparagraph (A), the servicing rights for the loan accounts of 100,000 borrowers (including borrowers who borrowed loans in a prior year that were serviced by the servicer).

[(ii) SERVICER ALLOCATION.—The Secretary may reallocate, increase, reduce, or terminate an eligible not-for-profit servicer's allocation of servicing rights under clause (i) based on the performance of such servicer, on the same terms as loan allocations provided by contracts awarded pursuant to paragraph (1).]

* * * * *

[(c) DEFINITION OF ELIGIBLE NOT-FOR-PROFIT SERVICER.—In this section:

[(1) IN GENERAL.—The term “eligible not-for-profit servicer” means an entity—

[(A) that is not owned or controlled in whole or in part by—

[(i) a for-profit entity; or

[(ii) a nonprofit entity having its principal place of business in another State; and

[(B) that—

[(i) as of July 1, 2009—

[(I) meets the definition of an eligible not-for-profit holder under section 435(p), except that such term does not include eligible lenders described in paragraph (1)(D) of such section; and

[(II) was performing, or had entered into a contract with a third party servicer (as such term is defined in section 481(c)) who was performing, student loan servicing functions for loans made under part B of this title;

[(ii) notwithstanding clause (i), as of July 1, 2009—

[(I) is the sole beneficial owner of a loan for which the special allowance rate is calculated under section 438(b)(2)(I)(vi)(II) because the loan is held by an eligible lender trustee that is an eligible not-for-profit holder as defined under section 435(p)(1)(D); and

[(II) was performing, or had entered into a contract with a third party servicer (as such term is defined in section 481(c)) who was performing, student loan servicing functions for loans made under part B of this title; or

[(iii) is an affiliated entity of an eligible not-for-profit servicer described in clause (i) or (ii) that—

[(I) directly employs, or will directly employ (on or before the date the entity begins servicing loans under a contract awarded by the Secretary pursuant to subsection (a)(3)(A)), the majority of individuals who perform borrower-specific student loan servicing functions; and

[(II) as of July 1, 2009, was performing, or had entered into a contract with a third party servicer (as such term is defined in section 481(c) who was performing, student loan servicing functions for loans made under part B of this title.

[(2) AFFILIATED ENTITY.—For the purposes of paragraph (1), the term “affiliated entity”—

[(A) means an entity contracted to perform services for an eligible not-for-profit servicer that—

[(i) is a nonprofit entity or is wholly owned by a nonprofit entity; and

[(ii) is not owned or controlled, in whole or in part, by—

[(I) a for-profit entity; or

[(II) an entity having its principal place of business in another State; and

[(B) may include an affiliated entity that is established by an eligible not-for-profit servicer after the date of enactment of the SAFRA Act, if such affiliated entity is otherwise described in paragraph (1)(B)(iii)(I) and subparagraph (A) of this paragraph.]

SEC. 458. FUNDS FOR ADMINISTRATIVE EXPENSES.

(a) ADMINISTRATIVE EXPENSES.—

(1) * * *

[(2) MANDATORY FUNDS FOR ELIGIBLE NOT-FOR-PROFIT SERVICERS.—For fiscal years 2010 through 2019, there shall be available to the Secretary, in addition to any other amounts appropriated to carry out this paragraph and out of any money in the Treasury not otherwise appropriated, funds to be obligated for administrative costs of servicing contracts with eligible not-for-profit servicers as described in section 456.]

* * * * *

TITLE 49, UNITED STATES CODE

* * * * *

SUBTITLE VII—AVIATION PROGRAMS

* * * * *

PART A—AIR COMMERCE AND SAFETY

* * * * *

SUBPART III—SAFETY

* * * * *

CHAPTER 449—SECURITY

SUBCHAPTER I—REQUIREMENTS

* * * * *

§ 44903. Air transportation security

(a) * * *

* * * * *

(n) *PASSENGER EXIT POINTS FROM STERILE AREA.—*

(1) *IN GENERAL.—The Secretary of Homeland Security shall ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of airports at which the Transportation Security Administration provided such monitoring as of December 1, 2013.*

(2) *STERILE AREA DEFINED.—In this section, the term “sterile area” has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).*

* * * * *

SUBCHAPTER II—ADMINISTRATION AND PERSONNEL

* * * * *

§ 44940. Security service fees

(a) **GENERAL AUTHORITY.—**

(1) * * *

[(2) **AIR CARRIER FEES.—**

[(A) **AUTHORITY.—**In addition to the fee imposed pursuant to paragraph (1), and only to the extent that the Under Secretary estimates that such fee will be insufficient to pay for the costs of providing civil aviation security services described in paragraph (1), the Under Secretary may impose a fee on air carriers and foreign air carriers engaged in air transportation and intrastate air transportation to pay for the difference between any such costs and the amount collected from such fee, as estimated by the Under Secretary at the beginning of each fiscal year. The estimates of the Under Secretary under this subparagraph are not subject to judicial review except for estimates and additional collections made pursuant to the appropriation for Aviation Security in Public Law 108-334: Provided, That such judicial review shall be pursuant to section 46110 of title 49, United States Code: Provided further, That such judicial review shall be limited only to addi-

tional amounts collected by the Secretary before October 1, 2007.

[(B) LIMITATIONS.—

[(i) OVERALL LIMIT.—The amounts of fees collected under this paragraph for each fiscal year may not exceed, in the aggregate, the amounts paid in calendar year 2000 by carriers described in subparagraph (A) for screening passengers and property, as determined by the Under Secretary.

[(ii) PER-CARRIER LIMIT.—The amount of fees collected under this paragraph from an air carrier described in subparagraph (A) for each of fiscal years 2002, 2003, and 2004 may not exceed the amount paid in calendar year 2000 by that carrier for screening passengers and property, as determined by the Under Secretary.

[(iii) ADJUSTMENT OF PER-CARRIER LIMIT.—For fiscal year 2005 and subsequent fiscal years, the per-carrier limitation under clause (ii) may be determined by the Under Secretary on the basis of market share or any other appropriate measure in lieu of actual screening costs in calendar year 2000.

[(iv) FINALITY OF DETERMINATIONS.—Determinations of the Under Secretary under this subparagraph are not subject to judicial review except for estimates and additional collections made pursuant to the appropriation for Aviation Security in Public Law 108-334: Provided, That such judicial review shall be pursuant to section 46110 of title 49, United States Code: Provided further, That such judicial review shall be limited only to additional amounts collected by the Secretary before October 1, 2007.

[(C) SPECIAL RULE FOR FISCAL YEAR 2002.—The amount of fees collected under this paragraph from any carrier for fiscal year 2002 may not exceed the amounts paid by that carrier for screening passengers and property for a period of time in calendar year 2000 proportionate to the period of time in fiscal year 2002 during which fees are collected under this paragraph.]

* * * * *

[(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) may not exceed \$2.50 per enplanement in air transportation or intrastate air transportation that originates at an airport in the United States, except that the total amount of such fees may not exceed \$5.00 per one-way trip.]

(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) shall be \$5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States.

(d) IMPOSITION OF FEE.—

(1) IN GENERAL.—Notwithstanding section 9701 of title 31 and the procedural requirements of section 553 of title 5, the Under Secretary shall impose the fee under subsection (a)(1) and may impose a fee under subsection (a)(2), through the publication of notice of such fee in the Federal Register and

begin collection of the fee within 60 days of the date of enactment of this Act, or as soon as possible thereafter.

* * * * *

[(i) CHECKPOINT SCREENING SECURITY FUND.—

[(1) ESTABLISHMENT.—There is established in the Department of Homeland Security a fund to be known as the “Checkpoint Screening Security Fund”.

[(2) DEPOSITS.—In fiscal year 2008, after amounts are made available under section 44923(h), the next \$250,000,000 derived from fees received under subsection (a)(1) shall be available to be deposited in the Fund.

[(3) FEES.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect at least \$250,000,000 in fiscal year 2008 for deposit into the Fund.

[(4) AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available until expended by the Administrator of the Transportation Security Administration for the purchase, deployment, installation, research, and development of equipment to improve the ability of security screening personnel at screening checkpoints to detect explosives.]

(i) DEPOSIT OF RECEIPTS IN GENERAL FUND.—

(1) IN GENERAL.—Beginning in fiscal year 2014, out of fees received in a fiscal year under subsection (a)(1), after amounts are made available in the fiscal year under section 44923(h), the next funds derived from such fees in the fiscal year, in the amount specified for the fiscal year in paragraph (4), shall be credited as offsetting receipts and deposited in the general fund of the Treasury.

(2) FEE LEVELS.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect in a fiscal year at least the amount specified in paragraph (4) for the fiscal year for making deposits under paragraph (1).

(3) RELATIONSHIP TO OTHER PROVISIONS.—Subsections (b) and (f) shall not apply to amounts to be used for making deposits under this subsection.

(4) FISCAL YEAR AMOUNTS.—For purposes of paragraphs (1) and (2), the fiscal year amounts are as follows:

- (A) \$390,000,000 for fiscal year 2014.*
- (B) \$1,190,000,000 for fiscal year 2015.*
- (C) \$1,250,000,000 for fiscal year 2016.*
- (D) \$1,280,000,000 for fiscal year 2017.*
- (E) \$1,320,000,000 for fiscal year 2018.*
- (F) \$1,360,000,000 for fiscal year 2019.*
- (G) \$1,400,000,000 for fiscal year 2020.*
- (H) \$1,440,000,000 for fiscal year 2021.*
- (I) \$1,480,000,000 for fiscal year 2022.*
- (J) \$1,520,000,000 for fiscal year 2023.*

* * * * *

TITLE 46, UNITED STATES CODE

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Subtitle V—Merchant Marine

* * * * *

PART D—PROMOTIONAL PROGRAMS

* * * * *

CHAPTER 553—PASSENGER AND CARGO PREFERENCES

SUBCHAPTER I—GENERAL

Sec.
55301. Priority loading for coal.

* * * * *

**SUBCHAPTER II—EXPORT TRANSPORTATION OF AGRICULTURAL
COMMODITIES**

* * * * *

**[55316. Financing the transportation of agricultural commodities.
55317. Termination of subchapter.]**

* * * * *

**SUBCHAPTER II—EXPORT TRANSPORTATION OF
AGRICULTURAL COMMODITIES**

* * * * *

[§ 55316. Financing the transportation of agricultural commodities

[(b) REIMBURSEMENT OF INCREASED CHARGES.—

[(1) IN GENERAL.—The Secretary of Transportation shall reimburse the Secretary of Agriculture and the Commodity Credit Corporation for the amount by which, in any fiscal year—

[(A) the total cost of ocean freight and ocean freight differential for which obligations are incurred by the Secretary of Agriculture and the Corporation on exports of agricultural commodities and their products under the agricultural export programs specified in section 55314(b) of this title; exceeds

[(B) 20 percent of the value of the commodities and their products and the cost of the ocean freight and ocean freight differential on which obligations are incurred by the Secretary of Agriculture and the Corporation during that fiscal year.

[(2) COMMODITIES SHIPPED FROM INVENTORY.—For purposes of this subsection, commodities shipped from the inventory of the Corporation shall be valued as provided in section 412(d) of the Food for Peace Act (7 U.S.C. 1736f(d)).

[(c) ISSUANCE AND PURCHASE OF OBLIGATIONS.—

[(1) ISSUANCE.—To meet the expenses required to be assumed under subsection (b), the Secretary of Transportation shall issue obligations to the Secretary of the Treasury. The Secretary of Transportation, with the approval of the Secretary of the Treasury, shall prescribe the form, denomination, maturity, and other terms (except the interest rate) of the obligations. The Secretary of the Treasury shall set the interest rate for the obligations, considering the average market yield on outstanding marketable obligations of the United States Government of comparable maturities during the month before the obligations are issued.

[(2) PURCHASE.—The Secretary of the Treasury shall purchase the obligations issued under this subsection. To purchase the obligations, the Secretary of the Treasury may use as a public debt transaction the proceeds from the sale of securities issued under chapter 31 of title 31. The purposes for which securities may be issued under that chapter are extended to include the purchase of obligations under this subsection. A redemption or purchase of the obligations by the Secretary of the Treasury is a public debt transaction of the Government.

[(d) SOURCE OF FUNDS FOR REIMBURSEMENT.—Reimbursement of the Secretary of Transportation for costs incurred under this section shall be made with appropriated funds rather than through cancellation of notes.

[(e) APPROPRIATIONS.—

[(1) AUTHORIZATION.—Each fiscal year, there is authorized to be appropriated an amount sufficient to reimburse the Secretary of Transportation for the costs incurred under this section, including administrative expenses and the principal and interest due on obligations issued to the Secretary of the Treasury.

[(2) APPROPRIATION FOR ADMINISTRATIVE EXPENSES.—Each fiscal year, such amounts as may be necessary are hereby appropriated to pay interest and to liquidate debt on obligations issued to the Secretary of the Treasury under this section.

[(f) NOTIFICATION TO CONGRESS OF INSUFFICIENCY.—If the Secretary of Transportation is unable to obtain the funds necessary to finance the increased ocean freight charges resulting from the requirements of subsection (b), the Secretary shall notify Congress within 10 working days of the discovery of the insufficiency.

§ 55317. Termination of subchapter

[This subchapter terminates 90 days after the date on which a notification is made under section 55316(f) of this title, except for shipments of agricultural commodities and their products subject to contracts made before the end of that 90-day period, unless within that 90-day period the Secretary of Transportation proclaims that funds are available to finance increased freight charges resulting from the requirements of section 55316(b) of this title. On the termination of this subchapter under this section—

[(1) this subchapter does not exempt export activities from, or subject export activities to, the cargo preference laws; and

[(2) the 50-percent requirement in section 55305 of this title remains in effect.]

* * * * *

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985

* * * * *

SEC. 13031. FEES FOR CERTAIN CUSTOMS SERVICES.

(a) * * *

* * * * *

(j) EFFECTIVE DATES.—(1) * * *

* * * * *

(3)(A) Fees may not be charged under paragraphs (9) and (10) of subsection (a) after [October 22, 2021] *September 30, 2023*.

(B)(i) Subject to clause (ii), Fees may not be charged under paragraphs (1) through (8) of subsection (a) after [October 29, 2021] *September 30, 2023*.

* * * * *

TITLE 41, UNITED STATES CODE

* * * * *

SUBTITLE I—FEDERAL PROCUREMENT POLICY

* * * * *

CHAPTER 11—ESTABLISHMENT OF OFFICE AND AUTHORITY AND FUNCTIONS OF ADMINISTRATOR

SUBCHAPTER I—GENERAL

Sec 1101. Office of Federal Procurement Policy.

* * * * *

SUBCHAPTER II—AUTHORITY AND FUNCTIONS OF THE ADMINISTRATOR

* * * * *

[1127. Determining benchmark compensation amount.]

* * * * *

SUBCHAPTER II—AUTHORITY AND FUNCTIONS OF THE ADMINISTRATOR

* * * * *

[§ 1127. Determining benchmark compensation amount

[(a) DEFINITIONS.—In this section:

[(1) BENCHMARK COMPENSATION AMOUNT.—The term “benchmark compensation amount”, for a fiscal year, is the median amount of the compensation provided for all senior executives of all benchmark corporations for the most recent year for which data is available at the time the determination under subsection (b) is made.

[(2) BENCHMARK CORPORATION.—The term “benchmark corporation”, with respect to a fiscal year, means a publicly-owned United States corporation that has annual sales in excess of \$50,000,000 for the fiscal year.

[(3) COMPENSATION.—The term “compensation”, for a fiscal year, means the total amount of wages, salary, bonuses, and deferred compensation for the fiscal year, whether paid, earned, or otherwise accruing, as recorded in an employer’s cost accounting records for the fiscal year.

[(4) FISCAL YEAR.—The term “fiscal year” means a fiscal year a contractor establishes for accounting purposes.

[(5) PUBLICLY-OWNED UNITED STATES CORPORATION.—The term “publicly-owned United States corporation” means a corporation—

[(A) organized under the laws of a State of the United States, the District of Columbia, Puerto Rico, or a possession of the United States; and

[(B) whose voting stock is publicly traded.

[(6) SENIOR EXECUTIVES.—The term “senior executives”, with respect to a contractor, means the 5 most highly compensated employees in management positions at each home office and each segment of the contractor.

[(b) DETERMINING BENCHMARK COMPENSATION AMOUNT.—For purposes of section 4304(a)(16) of this title and section 2324(e)(1)(P) of title 10, the Administrator shall review commercially available surveys of executive compensation and, on the basis of the results of the review, determine a benchmark compensation amount to apply for each fiscal year. In making determinations under this subsection, the Administrator shall consult with the Director of the Defense Contract Audit Agency and other officials of executive agencies as the Administrator considers appropriate.]

* * * * *

CHAPTER 43—ALLOWABLE COSTS

* * * * *

§ 4304. Specific costs not allowable

(a) SPECIFIC COSTS.—The following costs are not allowable under a covered contract:

(1) * * *

* * * * *

[(16) Costs of compensation of senior executives of contractors for a fiscal year, regardless of the contract funding source, to the extent that the compensation exceeds the benchmark compensation amount determined applicable for the fiscal year by the Administrator under section 1127 of this title.]

(16) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

* * * * *

**EMPLOYEE RETIREMENT INCOME SECURITY ACT OF
1974**

* * * * *

TITLE IV—PLAN TERMINATION INSURANCE

SUBTITLE A—PENSION BENEFIT GUARANTY CORPORATION

* * * * *

PREMIUM RATES

SEC. 4006. (a)(1) * * *

* * * * *

(3)(A) Except as provided in subparagraph (C), the annual premium rate payable to the corporation by all plans for basic benefits guaranteed under this title is—

(i) in the case of a single-employer plan, an amount for each individual who is a participant in such plan during the plan year equal to the sum of the additional premium (if any) determined under subparagraph (E) and—

(I) * * *

(II) for plan years beginning after December 31, 2012, and before January 1, 2014, \$42; **[and]**

(III) for plan years beginning after December 31, 2013 and before January 1, 2015, \$49.

(IV) for plan years beginning after December 31, 2014, and before January 1, 2016, \$57; and

(V) for plan years beginning after December 31, 2015, and before January 1, 2017, \$64.

* * * * *

(E)(i) Except as provided in subparagraph (H), the additional premium determined under this subparagraph with respect to any plan for any plan year—

(I) shall be an amount equal to the amount determined under clause (ii) divided by the number of participants in such plan as of the close of the preceding plan year; **[and]**

(II) in the case of plan years beginning in a calendar year after 2012 and before 2016, shall not exceed \$400**[.]** and

(III) in the case of plan years beginning in a calendar year after 2015, shall not exceed \$500.

* * * * *

(F) For each plan year beginning in a calendar year after 2006 and before 2013, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

(i) * * *

* * * * *

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1. **■** This subparagraph shall not apply to plan years beginning in 2013 or 2014. **■**

(G) For each plan year beginning in a calendar year after 2016, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

(i) the product derived by multiplying the premium rate specified in clause (i) of subparagraph (A) by the ratio of—

(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

(II) the national average wage index (as so defined) for 2014; and

(ii) the premium rate in effect under clause (i) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

■ *(G)* *(H)* For each plan year beginning in a calendar year after 2006, there shall be substituted for the premium rate specified in clause (iv) of subparagraph (A) an amount equal to the greater of—

(i) * * *

* * * * *

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

■ *(H)* *(I)*(i) * * *

* * * * *

■ *(I)* *(J)* For each plan year beginning in a calendar year after 2013, there shall be substituted for the premium rate specified in clause (v) of subparagraph (A) an amount equal to the greater of—

(i) * * *

* * * * *

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

■ *(J)* *(K)* For each plan year beginning in a calendar year after 2013 and before 2016, there shall be substituted for the dollar

amount specified in subclause (II) of subparagraph (E)(i) an amount equal to the greater of—

(i) * * *

* * * * *

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

(L) For each plan year beginning in a calendar year after 2016, there shall be substituted for the dollar amount specified in subclause (III) of subparagraph (E)(i) an amount equal to the greater of—

(i) the product derived by multiplying such dollar amount by the ratio of—

(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

(II) the national average wage index (as so defined) for 2014; and

(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

* * * * *

(8) APPLICABLE DOLLAR AMOUNT FOR VARIABLE RATE PREMIUM.—For purposes of paragraph (3)(E)(ii)—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the applicable dollar amount shall be—

(i) * * *

(ii) for plan years beginning in calendar year 2015, the amount in effect for plan years beginning in 2014 (determined after application of subparagraph (C)); **[and]**

(iii) for plan years beginning after calendar year 2015, the amount in effect for plan years beginning in 2015 (determined after application of subparagraph (C))**[.]; and**

(iv) for plan years beginning after calendar year 2016, the amount in effect for plan years beginning in 2016 (determined after application of subparagraph (C)).

* * * * *

(C) ADDITIONAL INCREASE IN 2014 AND 2015.—The applicable dollar amount determined under subparagraph (A) (after the application of subparagraph (B)) shall be increased—

(i) in the case of plan years beginning in calendar year 2014, by \$4; **[and]**

(ii) in the case of plan years beginning in calendar year 2015, by **[\$5.] \$10; and**

(iii) in the case of plan years beginning in calendar year 2016, by \$5.

(D) BASE YEAR.—For purposes of subparagraph (B), the base year is—

(i) * * *

(ii) 2012, in the case of plan years beginning in calendar year 2015; **[and]**

(iii) 2013, in the case of plan years beginning after calendar year 2015**[.]**; *and*

(iv) 2014, in the case of plan years beginning after calendar year 2016.

* * * * *

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

* * * * *

BENEFITS FOR NON-GOVERNMENT CONTROLLED LANDS

SEC. 3. As a condition of the extending of any benefits under this Act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this Act, **[require—]** *require the following:*

(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion**[;]**.

(2) Agreements or covenants as to the permanent use of such lands**[; and]**.

* * * * *

(4)(A) *The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—*

(i) *reasonable and appropriate;*

(ii) *assessed for conservation planning technical assistance resulting in the development of a conservation plan; and*

(iii) *assessed based on the size of the land or the complexity of the resource issues involved.*

(B) *Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.*

(C) *The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—*

(i) *to beginning farmers or ranchers (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a));*

(ii) *to limited resource farmers or ranchers (as defined by the Secretary);*

(iii) *to socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e));*

(iv) to qualify for an exemption from ineligibility under section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); or
 (v) to comply with Federal, State, or local regulatory requirements.

* * * * *

【APPROPRIATION AUTHORIZED

【SEC. 6. There are hereby authorized】

SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CONSERVATION TECHNICAL ASSISTANCE FUNDS.

(a) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

Appropriations for carrying out this Act allocated for the production or procurement of nursery stock by any Federal agency, or funds appropriated to any Federal agency for allocation to cooperating States for the production or procurement of nursery stock, shall remain available for expenditure for not more than 3 fiscal years.

(b) *CONSERVATION TECHNICAL ASSISTANCE FUND.*—

(1) *IN GENERAL.*—There is established in the Treasury of the United States a fund to be known as the “Conservation Technical Assistance Fund” (referred to in this subsection as the “Fund”), to be administered by the Secretary of Agriculture.

(2) *DEPOSITS.*—An amount equal to the amounts collected as fees under section 3(4) and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31, United States Code, shall be deposited in the Fund.

(3) *AVAILABILITY.*—Amounts in the Fund shall—

(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

(B) be used for the costs of carrying out this Act; and

(C) remain available until expended.

* * * * *

Estimate by the Congressional Budget Office

U.S. CONGRESS,
Washington, DC, December 11, 2013.

Hon. PAUL RYAN, *Chairman*,*
Committee on the Budget, U.S. House of Representatives Washington, DC 20515.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for the Bipartisan Budget Act of 2013.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Christina Hawley Anthony and Emily Stern, who can be reached at 226-2820.

Sincerely,

DOUGLAS W. ELMENDORF, *Director*,
Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE
DECEMBER 11, 2013

BIPARTISAN BUDGET ACT OF 2013

As posted on the website of the House Committee on Rules on December 10, 2013

SUMMARY

The legislation, offered as an amendment to H.J. Res. 59, the Continuing Appropriations Resolution, 2014, would revise the limits on discretionary appropriations for fiscal years 2014 and 2015, allowing for higher levels of funding in those years than is allowed under the caps and budget enforcement procedures in current law. CBO estimates that, if appropriations for 2014 and 2015 equaled the revised limits, discretionary outlays would be roughly \$62 billion higher over the 2014-2023 period than if appropriations for those years equaled the limits in current law. (Nearly \$48 billion of the anticipated increase in discretionary outlays would occur in 2014 and 2015.)

The legislation also would make several changes in programs that are not funded through annual appropriations, as well as a few changes that would affect federal revenues. In addition, the bill would extend across-the-board cuts (known as sequestration) in certain direct spending programs for an additional two years—2022 and 2023—beyond the period during which sequestration will apply under current law; those additional cuts would be the same percentage of spending required under current law for 2021. CBO and the staff of the Joint Committee on Taxation (JCT) estimate that, in total, those provisions would reduce direct spending by about \$78 billion and increase revenues by about \$7 billion over the 2014-2023 period. Thus, the legislation's changes in direct spending and revenues would reduce deficits by roughly \$85 billion over the next 10 years. Some of those changes also would affect discretionary spending, but such changes would be subject to appropriation and limited under the caps on annually appropriated funding.

Although enacting the legislation would affect direct spending and revenues, pay-as-you-go procedures do not apply because the legislation specifies that its budgetary effects shall not be entered onto the scorecards maintained under the Statutory Pay-As-You-Go Act of 2010.

The legislation contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). It would impose private-sector mandates as defined in UMRA on airline passengers, sponsors of defined-benefit pension plans, and users of customs services. CBO estimates that the cost of the mandates would total more than \$1 billion in fiscal year 2015 and more than \$2 billion annually be-

*An identical letter was sent to Senator Murray.

ginning in fiscal year 2016. Thus, the aggregate cost of mandates would significantly exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation) during the first five years that the mandates are in effect.

Section 204 of the legislation would amend portions of the Social Security Act that relate to the Old-Age, Survivors, and Disability Insurance programs under title II of the Social Security Act. UMRA excludes from its application any legislation that applies to those provisions of the Social Security Act. Consequently, CBO has not reviewed section 204 for mandates.

ESTIMATED IMPACT ON THE FEDERAL BUDGET

The estimated budgetary impact of the Bipartisan Budget Act of 2013 is summarized in Table 1. (Details for the estimates of effects on direct spending and revenues are provided in Table 2, attached at the end of this cost estimate.) The effects of this legislation fall within several budget functions, including those covering defense, natural resources, transportation, education, health care, and income security.

TABLE 14.—ESTIMATED BUDGETARY EFFECTS OF THE BIPARTISAN BUDGET ACT OF 2013
 [By fiscal year, in billions of dollars]

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2014– 2018	2014– 2023
CHANGES IN DIRECT SPENDING^a												
Estimated Budget Authority	-7.2	-2.2	-2.5	-2.9	-3.2	-3.5	-3.2	-3.4	-18.1	-24.3	-18.1	-70.5
Estimated Outlays	-3.0	-3.2	-4.1	-4.6	-4.6	-4.7	-4.6	-4.6	-19.3	-25.5	-19.5	-78.4
CHANGES IN REVENUES^a												
Estimated Revenues ^b	*	0.2	0.3	0.5	0.6	0.7	0.9	1.0	1.1	1.3	1.7	6.6
NET INCREASE OR DECREASE (–) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES												
Impact on the Deficit	-3.1	-3.4	-4.5	-5.1	-5.1	-5.4	-5.5	-5.6	-20.5	-26.8	-21.2	-85.0
On-budget effects	-3.1	-3.4	-4.5	-5.1	-5.1	-5.4	-5.5	-5.6	-20.5	-26.7	-21.2	-84.9
Off-budget effects	0	*	*	*	*	*	*	*	*	*	*	-0.1
Memorandum:												
Changes to Caps on Spending Subject to Appropriation	44.8	18.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	63.2	63.2
Estimated Authorization Level	26.3	21.6	8.6	3.3	2.0	0.6	0.0	0.0	0.0	0.0	61.9	62.4
Estimated Outlays												

Sources: CBO and the staff of the Joint Committee on Taxation.
 Notes: Components may not sum to totals because of rounding; * = between –\$50 million and \$50 million.
 a. In addition to the effects on direct spending and revenues, some provisions of the legislation would affect spending subject to appropriation, which is controlled by annual caps on such discretionary funding. Those additional effects are not included in these rows.
 b. Positive numbers denote an increase in revenues.

BASIS OF ESTIMATE

The legislation would allow for greater spending subject to appropriation than is allowed under current law by increasing the caps on new discretionary funding in fiscal years 2014 and 2015 (see the Memorandum section of Table 1).

The legislation also would directly affect budget deficits by changing provisions related to direct spending programs and by amending the Internal Revenue Code. Some of those changes also would affect discretionary spending, but such changes would be subject to appropriation and limited under the caps on annually appropriated funding.

Title I—Budget Enforcement

The Bipartisan Budget Act of 2013 would increase the caps on discretionary budget authority—that is, the caps on new annual appropriations—for fiscal years 2014 and 2015. For 2014, the caps on defense and nondefense funding would each be about \$22 billion higher than the current caps (which include the effects of the automatic spending reductions described in the Budget Control Act of 2011).³ For 2015, the defense and nondefense caps would each be raised by about \$9 billion. CBO estimates that, if appropriations for 2014 and 2015 equaled the revised limits, discretionary outlays would be roughly \$62 billion higher over the 2014-2023 period than if appropriations for those years equaled the limits in current law.

The legislation also would extend the automatic spending reductions applied to certain mandatory spending accounts through 2023 (those reductions are currently in effect through 2021). The legislation would require that the sequestration percentage applied to nonexempt mandatory accounts in 2021 be continued and applied in the same manner in 2022 and 2023. CBO estimates that extending those spending reductions for nonexempt mandatory programs for two additional years would decrease direct spending by \$28 billion over the 2022-2023 period.

In addition, the legislation would make some changes in the Congressional budget process related to adoption of the budget resolution and budget enforcement within the House of Representatives and the Senate. Those changes would not, by themselves, have a direct budgetary impact, but they could affect Congressional decisions about budget-related legislation in 2014 and future years.

Title II—Prevention of Waste, Fraud, and Abuse

The legislation would enhance the ability of states and the federal government to reduce certain payments (including some that stem from fraud) and increase recoveries of overpayments. In total, CBO estimates that enacting title II would reduce direct spending by about \$1.9 billion and increase revenues by \$0.6 billion over the 2014-2023 period. The proposed changes would:

- Require states to use the Treasury Offset Program (TOP) to recover overpayments of unemployment compensation. Under current law, states may use TOP, but are not required to do so.
- Enable states to avoid paying for prenatal and preventive pediatric claims when a third party is liable for such payments. The legislation also would give states additional time to collect payments in cases involving medical child support and allow states to recover payments from certain liability settlements, thereby reducing net direct spending for Medicaid.
- Restrict access to the Death Master File maintained by the Social Security Administration, which includes information that might be used by individuals to file fraudulent tax returns or submit fraudulent claims to Medicare.
- Expand the data on inmates that are available to the Department of Treasury, which would result in higher revenue collections and lower payments for refundable tax credits.

Three of those four provisions would affect both direct spending and revenues, producing budgetary savings in both of those categories. The provision for Medicaid third-party liability would affect only direct spending.

Title III—Natural Resources

Title III would make various changes to federal oil and gas programs that would reduce spending by \$4.5 billion over the 2014-2023 period, CBO estimates. Title III would:

³The Budget Control Act of 2011 (Public Law 112-25) established an initial set of caps on annual discretionary funding as well as a set of lower caps (for 2014 through 2021) that were triggered by the failure of the Joint Select Committee on Deficit Reduction to achieve a targeted amount of deficit reduction. The lower caps are currently in place through 2021; the legislation would increase those caps for 2014 and 2015, and leave the caps unchanged for other years through 2021.

- Repeal provisions in the Energy Policy Act of 2005 that authorized direct spending through fiscal year 2014 for research on the development of certain oil and gas resources.
- Reduce the amount of payments made to states under the Mineral Leasing Act, which requires the federal government to make payments to states based on the proceeds from mineral leasing activities on federal lands.
- Approve an agreement between the United States and Mexico regarding oil and gas resources near the international border in the Gulf of Mexico and establish procedures for implementing future agreements affecting such border areas.
- Amend the procedures used to determine the amount of interest that may be paid on overpayments of oil and gas royalties from federal leases.
- Permanently rescind the unobligated balances currently available for purchase of oil for the Strategic Petroleum Reserve (SPR) and repeal the authority of the SPR program to acquire oil using royalty-in-kind payments from companies that develop oil and gas resources under federal leases.

Title IV—Federal Civilian and Military Retirement

The bill would make several changes to retirement benefits for employees of federal agencies. In total, CBO estimates that enacting title IV would reduce spending by \$6.2 billion and increase revenues by \$6.0 billion, respectively, over the 2014-2023 period. Specifically, title IV would:

- Increase the contribution rate that federal employees, including those covered under the Foreign Service Retirement System, pay toward their future retirement benefit (such contributions are considered revenues to the Treasury). The legislation would increase contributions by 1.3 percent of pay for federal employees that begin service on or after January 1, 2014.
- Reduce the annual cost-of-living adjustment (COLA) for military retirees under the age of 62 by 1 percent. Monthly retired pay for those individuals would be readjusted upward at age 62 as if the COLA reduction had not taken place and retirees would receive full annual COLAs thereafter.

The COLA provision also would reduce discretionary accrual payments to the Military Retirement Fund over the 2015-2023 period. While such payments count against discretionary amounts allocated to the Department of Defense as part of the annual appropriations process, they are intragovernmental transactions, and do not result in outlays from the government. If, within the discretionary caps, the reduction in accrual payments makes possible an offsetting increase in other appropriations, the net effect would be an increase in outlays—because an intragovernmental payment would be replaced by spending that goes outside the government.

Title V—Higher Education

CBO estimates that enacting title V would reduce direct spending by \$5.1 billion over the 2014-2023 period by amending the Higher Education Act of 1965. Those changes would:

- Eliminate the share of outstanding guaranteed student loan amounts that guaranty agencies are permitted to retain when they rehabilitate defaulted loans, increasing the share that is returned to the federal government; and reduce the maximum fee that a guaranty agency can charge borrowers to cover the administrative costs of collections for loans being rehabilitated.
- Eliminate mandatory payments, authorized through 2019, to nonprofit organizations that service student loans. Although this provision would reduce direct spending by an estimated \$3.1 billion over the 2014-2023 period, those loans would still need to be serviced. As a result, CBO estimates that implementing this provision would require additional discretionary appropriations of roughly the same magnitude as the mandatory funding that would be eliminated.

Title VI—Transportation

Title VI would amend provisions of the Aviation and Transportation Security Act pertaining to security-related fees and would repeal a current requirement for compensation related to shipping of food aid. Together, those provisions would reduce direct spending by \$13.4 billion over the 2014-2023 period. This title would:

- Increase security-related fees charged to air passengers and repeal other fees paid by air carriers, resulting in an overall net increase in fees. It would amend current law to direct the Transportation Security Administration (TSA) to collect a specified portion of such fees, without further appropriation, which would be recorded as offsetting receipts—a credit against direct spending. (The remaining portion of TSA fees would continue to be subject to appropriation action.)
- Repeal the requirement that the Maritime Administration pay certain costs to compensate the Department of Agriculture to transport food aid on ships registered in the United States rather than ships registered in other countries.

Title VII—Miscellaneous Provisions

Title VII would make changes affecting customs fees, pensions, and health care for federal employees, among other things. CBO and JCT estimate that those provisions would reduce direct spending by \$19.3 billion over the 2014-2023 period.

- Section 701 would extend the authority of Customs and Border Protection (within the Department of Homeland Security) to collect certain fees. That authority, which is set to expire in October of 2021, would be extended through fiscal year 2023.

- Section 703 would raise rates for both variable and flat rate premiums paid by sponsors of defined benefit pension plans to the Pension Benefit Guaranty Corporation, and increase the cap on the variable rate premium.

- Section 704 would permanently cancel authority to spend certain unobligated balances from the Treasury Forfeiture Fund and the Assets Forfeiture Fund.

- Section 705 would establish a fee to offset the cost to the U.S. Department of Agriculture of providing conservation assistance to owners of private lands.

- Section 706 would add a two-person “self plus one” coverage option for federal employees and retirees under the Federal Employees Health Benefits (FEHB) program. CBO estimates that option would be priced below the “self plus family” option currently available. However, the “self plus family” option would become more costly than under current law because the average number of people covered by policies of that type would rise. CBO expects that federal retirees would be more likely than active federal employees to switch to “self plus one” policies. As a result, the average cost of FEHB policies for federal retirees would be lower than under current law, and the average cost of FEHB policies for active federal employees would be higher than under current law.

The provision would reduce direct spending because the government contribution for health benefits for federal retirees is classified as direct spending. On the other hand, implementing the provision would increase spending subject to appropriation, assuming appropriation of the necessary funds, because the government contribution for health benefits for active federal employees is classified as discretionary spending.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Although enacting the legislation would affect both direct spending and revenues, pay-as-you-go procedures do not apply because the legislation specifies that its budgetary effects shall not be entered onto the scorecards maintained under the Statutory Pay-As-You-Go Act.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

The legislation contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act. It would, however, impose mandates on private entities by increasing or extending some government fees. The legislation would increase the fee paid by airline passengers for security services and increase insurance premiums paid by sponsors of defined-benefit pension plans to the Pension Benefit Guaranty Corporation.

CBO estimates that the cost of those mandates would total more than \$1 billion in fiscal year 2015 and more than \$2 billion annually beginning in fiscal year 2016. The legislation also would extend through fiscal year 2023 the customs users fees that are set to expire in October of 2021 under current law. The cost of the mandate to users of customs services would exceed \$3 billion in each of fiscal years 2022 and 2023. Consequently, the aggregate cost of the mandates in the legislation would significantly exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation).

ESTIMATE PREPARED BY

Federal Spending

Christina Hawley Anthony, Kirstin Blom, Megan Carroll, Sheila Dacey, Mark Grabowicz, Kathleen Gramp, Justin Humphrey, Deborah Kalcevic, Jeff LaFave, Jim Langley, Avi Lerner, Amber Marcellino, Julia Mitchell, Matthew Pickford, Sarah Puro, Lara Robillard, Matt Schmit, Emily Stern, Santiago Vallinas, and Martin von Gnechten

Federal Revenues

Kurt Seibert and staff of the Joint Committee on Taxation

Impact on State, Local, and Tribal Governments

J'nell L. Blanco, Michael Kulas, Melissa Merrell, and Lisa Ramirez-Branum

Impact on the Private Sector

Amy Petz, Paige Piper/Bach, Chung Kim, Alexia Diorio, and Marin Burnett

ESTIMATE APPROVED BY

Peter H. Fontaine, *Assistant Director for Budget Analysis*

TABLE 15.—ESTIMATE OF EFFECTS ON DIRECT SPENDING AND REVENUES FOR THE BIPARTISAN BUDGET ACT OF 2013

[Millions of dollars, by fiscal year]

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2014-2018	2014-2023
CHANGES IN DIRECT SPENDING (Outlays)												
Title I—Budget Enforcement												
Sec. 101 Extension of direct spending reductions	0	0	0	0	0	0	0	0	-11,267	-16,774	0	-28,041
Title II Prevention of Waste, Fraud, and Abuse												
Sec. 201 Collection of UI overpayments	-10	-26	-20	-17	-15	-14	-13	-14	-15	-15	-88	-159
Sec. 202 Strengthening Medicaid third-party liability	0	-50	-100	-150	-160	-170	-180	-190	-200	-210	-460	-1,410
Sec. 203 Restriction on access to death master file	-13	-25	-26	-27	-28	-28	-29	-30	-31	-32	-119	-269
Sec. 204 Inmates receiving improper payments	0	-8	-8	-8	-9	-9	-9	-9	-10	-10	-33	-80
Title III Natural Resources												
Sec. 301 Ultra deepwater and unconventional natural gas	-2	-14	-16	-6	-2	0	0	0	0	0	-40	-40
Sec. 302 Reduce payments under the Mineral Leasing Act	0	-44	-44	-42	-43	-46	-47	-48	-50	-51	-173	-415
Sec. 303 OCS transboundary agreements	-7	-2	-2	-2	-2	-2	-2	-2	-2	-2	-15	-25
Sec. 305 Federal oil and gas royalty prepayment cap	0	0	-20	-50	-90	-100	-110	-120	-130	-130	-160	-750
Sec. 306 Reduce funding for SPR purchases	-50	-350	-350	-350	-350	-355	-355	-355	-355	-355	-1,450	-3,225
Title IV Federal Employee Compensation												
Sec. 403 Reduce annual adjustment for retired members of the Armed Forces under the age of 62 ^a	0	0	-152	-358	-506	-715	-883	-1,037	-1,275	-1,309	-1,016	-6,235
Title V Higher Education												
Sec. 501 Default reduction program	-2,050	0	0	0	0	0	0	0	0	0	-2,050	-2,050
Sec. 502 Eliminate nonprofit servicing contracts ^b	-167	-362	-461	-515	-553	-587	-612	-64	-24	0	-2,057	-3,065
Title VI Transportation												
Sec. 601 Aviation security fees	-390	-1,190	-1,250	-1,280	-1,320	-1,360	-1,400	-1,440	-1,480	-1,520	-5,430	-12,630
Sec. 602 Transportation cost reimbursement	-56	-75	-75	-75	-75	-75	-75	-75	-75	-75	-356	-731
Title VII Miscellaneous Provisions												
Sec. 701 Customs user fees	0	0	0	0	0	0	0	0	-3,125	-3,646	0	-6,771
Sec. 703 Pension Benefit Guaranty Corporation premium increases	0	-200	-850	-1,260	-1,090	-920	-870	-860	-900	-930	-3,400	-7,880
Sec. 704 Cancellation of unobligated balances	-277	-624	-486	-173	0	0	0	0	0	0	-1,560	-1,560
Sec. 705 Conservation planning	-3	-4	-4	-4	-4	-4	-4	-4	-4	-4	-19	-39
Sec. 706 FEHB self plus one coverage	0	-244	-258	-274	-293	-313	-334	-357	-381	-407	-1,069	-2,862
On-budget outlays	0	-8	-10	-12	-14	-16	-19	-21	-24	-27	-43	-150
Off-budget outlays												
Total Changes in Direct Spending	-3,025	-3,225	-4,132	-4,603	-4,553	-4,714	-4,642	-4,647	-4,938	-25,497	-19,538	-78,387

	CHANGES IN REVENUES											
Sec. 201 Collection of UI overpayments	0	-1	-4	-9	-12	-14	-14	-13	-12	-11	-26	-90
Sec. 203 Restriction on access to death master file	24	49	50	52	53	55	56	58	60	62	227	517
Sec. 204 Inmates receiving improper payments	*	16	17	17	17	18	19	19	19	20	67	162
Sec. 401 Civil Service Retirement	24	154	276	400	527	657	788	921	1,057	1,194	1,381	5,998
Sec. 402 Foreign Service Retirement	1	2	3	4	5	5	6	7	8	9	15	50
Total Changes in Revenues	49	220	342	464	590	721	855	992	1,133	1,274	1,664	6,638
	NET INCREASE OR DECREASE (-) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES											
Net Changes in Deficits	-3,074	-3,446	-4,474	-5,067	-5,143	-5,436	-5,497	-5,639	-20,481	-26,771	-21,202	-85,024
On-budget deficit change	-3,074	-3,438	-4,464	-5,055	-5,129	-5,419	-5,479	-5,617	-20,457	-26,744	-21,159	-84,874
Off-budget deficit change	0	-8	-10	-12	-14	-16	-19	-21	-24	-27	-43	-150

Sources: Congressional Budget Office and staff of the Joint Committee on Taxation.
 Notes: Components may not sum to totals because of rounding; * = between -\$500,000 and \$500,000.
 OCS = Outer Continental Shelf; SPR = Strategic Petroleum Reserve; FEHB = Federal Employee Health Benefit program; UI = Unemployment Insurance.
 Estimates assume enactment near the end of calendar year 2013, and are relative to CBO's May 2013 baseline.
 a. Section 403 would also reduce discretionary accrual payments to the Military Retirement Fund by about \$8 billion over the 2015-2023 period. If, within the discretionary caps, the reduction in accrual payments makes possible an offsetting increase in other appropriations, the net effect would be an increase in outlays—because an intragovernmental payment would be replaced by spending that goes outside the government.
 b. Section 502 would eliminate mandatory payments to nonprofit organizations that service student loans but would not change the need for loan servicing. Because the Department of Education would still need to make those payments to loan servicers, CBO estimates that this provision would result in additional appropriations that would be roughly the same magnitude as the mandatory funding that is being eliminated.

H. Con. Res. 25

CONCURRENT RESOLUTION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2014 and sets forth appropriate budgetary levels for fiscal years 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House of Representatives.

TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050

Sec. 301. Long-term budgeting.

TITLE IV—RESERVE FUNDS

Sec. 401. Reserve fund for the repeal of the 2010 health care laws.

Sec. 402. Deficit-neutral reserve fund for the reform of the 2010 health care laws.

Sec. 403. Deficit-neutral reserve fund related to the Medicare provisions of the 2010 health care laws.

Sec. 404. Deficit-neutral reserve fund for the sustainable growth rate of the Medicare program.

Sec. 405. Deficit-neutral reserve fund for reforming the tax code.

Sec. 406. Deficit-neutral reserve fund for trade agreements.

Sec. 407. Deficit-neutral reserve fund for revenue measures.

Sec. 408. Deficit-neutral reserve fund for rural counties and schools.

Sec. 409. Implementation of a deficit and long-term debt reduction agreement.

TITLE V—ESTIMATES OF DIRECT SPENDING

Sec. 501. Direct spending.

TITLE VI—BUDGET ENFORCEMENT

Sec. 601. Limitation on advance appropriations.

Sec. 602. Concepts and definitions.

Sec. 603. Adjustments of aggregates, allocations, and appropriate budgetary levels.

Sec. 604. Limitation on long-term spending.

Sec. 605. Budgetary treatment of certain transactions.

Sec. 606. Application and effect of changes in allocations and aggregates.

Sec. 607. Congressional Budget Office estimates.

Sec. 608. Transfers from the general fund of the treasury to the highway trust fund that increase public indebtedness.

- Sec. 609. Separate allocation for overseas contingency operations/global war on terrorism.
 Sec. 610. Exercise of rulemaking powers.

TITLE VII—POLICY STATEMENTS

- Sec. 701. Policy statement on economic growth and job creation.
 Sec. 702. Policy statement on tax reform.
 Sec. 703. Policy statement on Medicare.
 Sec. 704. Policy statement on Social Security.
 Sec. 705. Policy statement on higher education affordability.
 Sec. 706. Policy statement on deficit reduction through the cancellation of unobligated balances.
 Sec. 707. Policy statement on responsible stewardship of taxpayer dollars.
 Sec. 708. Policy statement on deficit reduction through the reduction of unnecessary and wasteful spending.
 Sec. 709. Policy statement on unauthorized spending.

TITLE VIII—SENSE OF THE HOUSE PROVISIONS

- Sec. 801. Sense of the House on the importance of child support enforcement.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2014 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this concurrent resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2014: \$2,270,932,000,000.
 Fiscal year 2015: \$2,606,592,000,000.
 Fiscal year 2016: \$2,778,891,000,000.
 Fiscal year 2017: \$2,903,673,000,000.
 Fiscal year 2018: \$3,028,951,000,000.
 Fiscal year 2019: \$3,149,236,000,000.
 Fiscal year 2020: \$3,284,610,000,000.
 Fiscal year 2021: \$3,457,009,000,000.
 Fiscal year 2022: \$3,650,699,000,000.
 Fiscal year 2023: \$3,832,145,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2014: \$0.
 Fiscal year 2015: \$0.
 Fiscal year 2016: \$0.
 Fiscal year 2017: \$0.
 Fiscal year 2018: \$0.
 Fiscal year 2019: \$0.
 Fiscal year 2020: \$0.
 Fiscal year 2021: \$0.
 Fiscal year 2022: \$0.
 Fiscal year 2023: \$0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2014: \$2,769,406,000,000.

Fiscal year 2015: \$2,681,581,000,000.
 Fiscal year 2016: \$2,857,258,000,000.
 Fiscal year 2017: \$2,988,083,000,000.
 Fiscal year 2018: \$3,104,777,000,000.
 Fiscal year 2019: \$3,281,142,000,000.
 Fiscal year 2020: \$3,414,838,000,000.
 Fiscal year 2021: \$3,540,165,000,000.
 Fiscal year 2022: \$3,681,407,000,000.
 Fiscal year 2023: \$3,768,151,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this concurrent resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2014: \$2,815,079,000,000.
 Fiscal year 2015: \$2,736,849,000,000.
 Fiscal year 2016: \$2,850,434,000,000.
 Fiscal year 2017: \$2,958,619,000,000.
 Fiscal year 2018: \$3,079,296,000,000.
 Fiscal year 2019: \$3,231,642,000,000.
 Fiscal year 2020: \$3,374,336,000,000.
 Fiscal year 2021: \$3,495,489,000,000.
 Fiscal year 2022: \$3,667,532,000,000.
 Fiscal year 2023: \$3,722,071,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this concurrent resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2014: -\$544,147,000,000.
 Fiscal year 2015: -\$130,257,000,000.
 Fiscal year 2016: -\$71,544,000,000.
 Fiscal year 2017: -\$54,947,000,000.
 Fiscal year 2018: -\$50,345,000,000.
 Fiscal year 2019: -\$82,405,000,000.
 Fiscal year 2020: -\$89,726,000,000.
 Fiscal year 2021: -\$38,480,000,000.
 Fiscal year 2022: -\$16,833,000,000.
 Fiscal year 2023: \$110,073,000,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2014: \$17,776,278,000,000.
 Fiscal year 2015: \$18,086,450,000,000.
 Fiscal year 2016: \$18,343,824,000,000.
 Fiscal year 2017: \$18,635,129,000,000.
 Fiscal year 2018: \$18,938,669,000,000.
 Fiscal year 2019: \$19,267,212,000,000.
 Fiscal year 2020: \$19,608,732,000,000.
 Fiscal year 2021: \$19,900,718,000,000.
 Fiscal year 2022: \$20,162,755,000,000.
 Fiscal year 2023: \$20,319,503,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2014: \$12,849,621,000,000.
 Fiscal year 2015: \$13,069,788,000,000.
 Fiscal year 2016: \$13,225,569,000,000.
 Fiscal year 2017: \$13,362,146,000,000.
 Fiscal year 2018: \$13,485,102,000,000.

Fiscal year 2019: \$13,648,470,000,000.
 Fiscal year 2020: \$13,836,545,000,000.
 Fiscal year 2021: \$13,992,649,000,000.
 Fiscal year 2022: \$14,154,363,000,000.
 Fiscal year 2023: \$14,210,984,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2014 through 2023 for each major functional category are:

(1) National Defense (050):

Fiscal year 2014:

- (A) New budget authority, \$560,225,000,000.
- (B) Outlays, \$579,235,000,000.

Fiscal year 2015:

- (A) New budget authority, \$574,359,000,000.
- (B) Outlays, \$563,976,000,000.

Fiscal year 2016:

- (A) New budget authority, \$585,556,000,000.
- (B) Outlays, \$570,288,000,000.

Fiscal year 2017:

- (A) New budget authority, \$598,822,000,000.
- (B) Outlays, \$575,457,000,000.

Fiscal year 2018:

- (A) New budget authority, \$612,125,000,000.
- (B) Outlays, \$582,678,000,000.

Fiscal year 2019:

- (A) New budget authority, \$625,445,000,000.
- (B) Outlays, \$600,508,000,000.

Fiscal year 2020:

- (A) New budget authority, \$639,780,000,000.
- (B) Outlays, \$614,250,000,000.

Fiscal year 2021:

- (A) New budget authority, \$654,096,000,000.
- (B) Outlays, \$628,265,000,000.

Fiscal year 2022:

- (A) New budget authority, \$671,181,000,000.
- (B) Outlays, \$649,221,000,000.

Fiscal year 2023:

- (A) New budget authority, \$688,640,000,000.
- (B) Outlays, \$660,461,000,000.

(2) International Affairs (150):

Fiscal year 2014:

- (A) New budget authority, \$41,010,000,000.
- (B) Outlays, \$42,005,000,000.

Fiscal year 2015:

- (A) New budget authority, \$39,357,000,000.
- (B) Outlays, \$40,876,000,000.

Fiscal year 2016:

- (A) New budget authority, \$40,355,000,000.
- (B) Outlays, \$40,019,000,000.

Fiscal year 2017:

- (A) New budget authority, \$41,343,000,000.
- (B) Outlays, \$39,821,000,000.

Fiscal year 2018:

- (A) New budget authority, \$42,342,000,000.
- (B) Outlays, \$39,922,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$43,349,000,000.
 - (B) Outlays, \$40,248,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$44,366,000,000.
 - (B) Outlays, \$41,070,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$44,898,000,000.
 - (B) Outlays, \$41,970,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$46,240,000,000.
 - (B) Outlays, \$43,208,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$47,304,000,000.
 - (B) Outlays, \$44,030,000,000.
- (3) General Science, Space, and Technology (250):
 - Fiscal year 2014:
 - (A) New budget authority, \$27,733,000,000.
 - (B) Outlays, \$27,811,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$28,318,000,000.
 - (B) Outlays, \$28,193,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$28,994,000,000.
 - (B) Outlays, \$28,641,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$29,677,000,000.
 - (B) Outlays, \$29,251,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$30,386,000,000.
 - (B) Outlays, \$29,932,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$31,088,000,000.
 - (B) Outlays, \$30,574,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$31,798,000,000.
 - (B) Outlays, \$31,275,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$32,506,000,000.
 - (B) Outlays, \$31,886,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$33,244,000,000.
 - (B) Outlays, \$32,609,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$33,991,000,000.
 - (B) Outlays, \$33,344,000,000.
- (4) Energy (270):
 - Fiscal year 2014:
 - (A) New budget authority, -\$1,218,000,000.
 - (B) Outlays, \$1,366,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$1,527,000,000.

- (B) Outlays, \$2,024,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$1,433,000,000.
 - (B) Outlays, \$984,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$1,570,000,000.
 - (B) Outlays, \$1,091,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$1,764,000,000.
 - (B) Outlays, \$1,331,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$1,932,000,000.
 - (B) Outlays, \$1,612,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$2,121,000,000.
 - (B) Outlays, \$1,864,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$2,200,000,000.
 - (B) Outlays, \$2,039,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$2,105,000,000.
 - (B) Outlays, \$1,989,000,000.
- Fiscal year 2023:
 - (A) New budget authority, -\$12,000,000.
 - (B) Outlays, -\$147,000,000.
- (5) Natural Resources and Environment (300):
 - Fiscal year 2014:
 - (A) New budget authority, \$38,146,000,000.
 - (B) Outlays, \$41,002,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$37,457,000,000.
 - (B) Outlays, \$40,169,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$36,445,000,000.
 - (B) Outlays, \$39,860,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$37,295,000,000.
 - (B) Outlays, \$39,612,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$38,120,000,000.
 - (B) Outlays, \$39,378,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$38,552,000,000.
 - (B) Outlays, \$39,655,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$39,530,000,000.
 - (B) Outlays, \$40,167,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$39,730,000,000.
 - (B) Outlays, \$40,332,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$40,124,000,000.
 - (B) Outlays, \$40,330,000,000.
 - Fiscal year 2023:

- (A) New budget authority, \$39,792,000,000.
- (B) Outlays, \$39,382,000,000.
- (6) Agriculture (350):
 - Fiscal year 2014:
 - (A) New budget authority, \$21,731,000,000.
 - (B) Outlays, \$20,377,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$16,737,000,000.
 - (B) Outlays, \$16,452,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$21,254,000,000.
 - (B) Outlays, \$20,827,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,344,000,000.
 - (B) Outlays, \$18,856,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$18,776,000,000.
 - (B) Outlays, \$18,238,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$19,087,000,000.
 - (B) Outlays, \$18,461,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$19,380,000,000.
 - (B) Outlays, \$18,864,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$19,856,000,000.
 - (B) Outlays, \$19,365,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$19,736,000,000.
 - (B) Outlays, \$19,244,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$20,335,000,000.
 - (B) Outlays, \$19,859,000,000.
- (7) Commerce and Housing Credit (370):
 - Fiscal year 2014:
 - (A) New budget authority, \$2,548,000,000.
 - (B) Outlays, -\$9,000,000,000..
 - Fiscal year 2015:
 - (A) New budget authority, -\$7,818,000,000.
 - (B) Outlays, -\$19,413,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, -\$7,398,000,000.
 - (B) Outlays, -\$21,697,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, -\$6,328,000,000.
 - (B) Outlays, -\$22,908,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, -\$2,946,000,000.
 - (B) Outlays, -\$20,314,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, -\$866,000,000.
 - (B) Outlays, -\$23,410,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, -\$579,000,000.

- (B) Outlays, -\$22,954,000,000.
- Fiscal year 2021:
 - (A) New budget authority, -\$295,000,000.
 - (B) Outlays, -\$17,517,000,000.
- Fiscal year 2022:
 - (A) New budget authority, -\$1,076,000,000.
 - (B) Outlays, -\$19,406,000,000.
- Fiscal year 2023:
 - (A) New budget authority, -\$1,200,000,000.
 - (B) Outlays, -\$20,654,000,000.
- (8) Transportation (400):
 - Fiscal year 2014:
 - (A) New budget authority, \$87,056,000,000.
 - (B) Outlays, \$93,142,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$40,030,000,000.
 - (B) Outlays, \$82,089,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$81,453,000,000.
 - (B) Outlays, \$74,235,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$91,498,000,000.
 - (B) Outlays, \$85,791,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$68,776,000,000.
 - (B) Outlays, \$84,548,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$92,602,000,000.
 - (B) Outlays, \$82,681,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$72,693,000,000.
 - (B) Outlays, \$84,625,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$92,988,000,000.
 - (B) Outlays, \$85,244,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$74,694,000,000.
 - (B) Outlays, \$85,945,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$99,499,000,000.
 - (B) Outlays, \$86,906,000,000.
- (9) Community and Regional Development (450):
 - Fiscal year 2014:
 - (A) New budget authority, \$8,533,000,000.
 - (B) Outlays, \$27,669,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$8,401,000,000.
 - (B) Outlays, \$22,978,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$8,341,000,000.
 - (B) Outlays, \$16,911,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$8,442,000,000.
 - (B) Outlays, \$13,910,000,000.

Fiscal year 2018:
 (A) New budget authority, \$8,556,000,000.
 (B) Outlays, \$10,925,000,000.

Fiscal year 2019:
 (A) New budget authority, \$8,766,000,000.
 (B) Outlays, \$9,787,000,000.

Fiscal year 2020:
 (A) New budget authority, \$8,962,000,000.
 (B) Outlays, \$9,418,000,000.

Fiscal year 2021:
 (A) New budget authority, \$9,172,000,000.
 (B) Outlays, \$9,283,000,000.

Fiscal year 2022:
 (A) New budget authority, \$9,424,000,000.
 (B) Outlays, \$9,209,000,000.

Fiscal year 2023:
 (A) New budget authority, \$9,641,000,000.
 (B) Outlays, \$9,271,000,000.

(10) Education, Training, Employment, and Social Services
 (500):

Fiscal year 2014:
 (A) New budget authority, \$56,440,000,000.
 (B) Outlays, \$77,310,000,000.

Fiscal year 2015:
 (A) New budget authority, \$73,848,000,000.
 (B) Outlays, \$77,042,000,000.

Fiscal year 2016:
 (A) New budget authority, \$85,577,000,000.
 (B) Outlays, \$84,250,000,000.

Fiscal year 2017:
 (A) New budget authority, \$95,462,000,000.
 (B) Outlays, \$93,615,000,000.

Fiscal year 2018:
 (A) New budget authority, \$100,910,000,000.
 (B) Outlays, \$99,755,000,000.

Fiscal year 2019:
 (A) New budget authority, \$95,734,000,000.
 (B) Outlays, \$95,741,000,000.

Fiscal year 2020:
 (A) New budget authority, \$97,329,000,000.
 (B) Outlays, \$97,270,000,000.

Fiscal year 2021:
 (A) New budget authority, \$98,900,000,000.
 (B) Outlays, \$98,917,000,000.

Fiscal year 2022:
 (A) New budget authority, \$99,965,000,000.
 (B) Outlays, \$100,219,000,000.

Fiscal year 2023:
 (A) New budget authority, \$101,606,000,000.
 (B) Outlays, \$101,780,000,000.

(11) Health (550):

Fiscal year 2014:
 (A) New budget authority, \$363,762,000,000.
 (B) Outlays, \$378,695,000,000.

- Fiscal year 2015:
 (A) New budget authority, \$358,156,000,000.
 (B) Outlays, \$353,470,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$359,280,000,000.
 (B) Outlays, \$362,833,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$375,308,000,000.
 (B) Outlays, \$375,956,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$387,073,000,000.
 (B) Outlays, \$386,264,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$393,079,000,000.
 (B) Outlays, \$392,141,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$422,229,000,000.
 (B) Outlays, \$410,876,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$420,834,000,000.
 (B) Outlays, \$419,365,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$441,207,000,000.
 (B) Outlays, \$439,353,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$456,935,000,000.
 (B) Outlays, \$455,134,000,000.
- (12) Medicare (570):
 Fiscal year 2014:
 (A) New budget authority, \$515,944,000,000.
 (B) Outlays, \$515,713,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$534,494,000,000.
 (B) Outlays, \$534,400,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$581,788,000,000.
 (B) Outlays, \$581,834,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$597,570,000,000.
 (B) Outlays, \$597,637,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$621,384,000,000.
 (B) Outlays, \$621,480,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$679,457,000,000.
 (B) Outlays, \$679,661,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$723,313,000,000.
 (B) Outlays, \$723,481,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$770,764,000,000.
 (B) Outlays, \$771,261,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$845,828,000,000.

- (B) Outlays, \$843,504,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$875,417,000,000.
 - (B) Outlays, \$874,988,000,000.
- (13) Income Security (600):
 - Fiscal year 2014:
 - (A) New budget authority, \$509,418,000,000.
 - (B) Outlays, \$508,082,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$480,285,000,000.
 - (B) Outlays, \$476,897,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$487,623,000,000.
 - (B) Outlays, \$487,046,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$484,222,000,000.
 - (B) Outlays, \$479,516,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$484,653,000,000.
 - (B) Outlays, \$475,612,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$495,065,000,000.
 - (B) Outlays, \$490,660,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$501,101,000,000.
 - (B) Outlays, \$496,983,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$505,927,000,000.
 - (B) Outlays, \$501,832,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$515,637,000,000.
 - (B) Outlays, \$516,362,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$510,654,000,000.
 - (B) Outlays, \$506,354,000,000.
- (14) Social Security (650):
 - Fiscal year 2014:
 - (A) New budget authority, \$27,506,000,000.
 - (B) Outlays, \$27,616,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$30,233,000,000.
 - (B) Outlays, \$30,308,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$33,369,000,000.
 - (B) Outlays, \$33,407,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$36,691,000,000.
 - (B) Outlays, \$36,691,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$40,005,000,000.
 - (B) Outlays, \$40,005,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$43,421,000,000.
 - (B) Outlays, \$43,421,000,000.

- Fiscal year 2020:
 (A) New budget authority, \$46,954,000,000.
 (B) Outlays, \$46,954,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$50,474,000,000.
 (B) Outlays, \$50,474,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$54,235,000,000.
 (B) Outlays, \$54,235,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$58,441,000,000.
 (B) Outlays, \$58,441,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2014:
 (A) New budget authority, \$145,730,000,000.
 (B) Outlays, \$145,440,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$149,792,000,000.
 (B) Outlays, \$149,313,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$162,051,000,000.
 (B) Outlays, \$161,441,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$160,947,000,000.
 (B) Outlays, \$160,117,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$159,423,000,000.
 (B) Outlays, \$158,565,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$171,032,000,000.
 (B) Outlays, \$170,144,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$175,674,000,000.
 (B) Outlays, \$174,791,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$179,585,000,000.
 (B) Outlays, \$178,655,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$191,294,000,000.
 (B) Outlays, \$190,344,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$187,945,000,000.
 (B) Outlays, \$186,882,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2014:
 (A) New budget authority, \$51,933,000,000.
 (B) Outlays, \$53,376,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$53,116,000,000.
 (B) Outlays, \$52,918,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$56,644,000,000.
 (B) Outlays, \$55,745,000,000.
- Fiscal year 2017:

- (A) New budget authority, \$56,712,000,000.
- (B) Outlays, \$57,949,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$58,586,000,000.
 - (B) Outlays, \$59,859,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$60,495,000,000.
 - (B) Outlays, \$60,666,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$62,400,000,000.
 - (B) Outlays, \$61,878,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$64,507,000,000.
 - (B) Outlays, \$63,950,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$70,150,000,000.
 - (B) Outlays, \$69,561,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$72,809,000,000.
 - (B) Outlays, \$72,195,000,000.
- (17) General Government (800):
 - Fiscal year 2014:
 - (A) New budget authority, \$23,225,000,000.
 - (B) Outlays, \$24,172,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$21,922,000,000.
 - (B) Outlays, \$20,749,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$23,263,000,000.
 - (B) Outlays, \$22,559,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$23,814,000,000.
 - (B) Outlays, \$23,435,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$24,573,000,000.
 - (B) Outlays, \$24,158,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$25,454,000,000.
 - (B) Outlays, \$24,803,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$26,293,000,000.
 - (B) Outlays, \$25,645,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$27,178,000,000.
 - (B) Outlays, \$26,566,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$27,821,000,000.
 - (B) Outlays, \$27,219,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$28,717,000,000.
 - (B) Outlays, \$28,116,000,000.
- (18) Net Interest (900):
 - Fiscal year 2014:
 - (A) New budget authority, \$341,099,000,000.

(B) Outlays, \$341,099,000,000.

Fiscal year 2015:
 (A) New budget authority, \$367,647,000,000.
 (B) Outlays, \$367,647,000,000.

Fiscal year 2016:
 (A) New budget authority, \$405,960,000,000.
 (B) Outlays, \$405,960,000,000.

Fiscal year 2017:
 (A) New budget authority, \$476,448,000,000.
 (B) Outlays, \$476,448,000,000.

Fiscal year 2018:
 (A) New budget authority, \$555,772,000,000.
 (B) Outlays, \$555,772,000,000.

Fiscal year 2019:
 (A) New budget authority, \$613,411,000,000.
 (B) Outlays, \$613,411,000,000.

Fiscal year 2020:
 (A) New budget authority, \$661,810,000,000.
 (B) Outlays, \$661,810,000,000.

Fiscal year 2021:
 (A) New budget authority, \$694,647,000,000.
 (B) Outlays, \$694,647,000,000.

Fiscal year 2022:
 (A) New budget authority, \$723,923,000,000.
 (B) Outlays, \$723,923,000,000.

Fiscal year 2023:
 (A) New budget authority, \$745,963,000,000.
 (B) Outlays, \$745,963,000,000.

(19) Allowances (920):

Fiscal year 2014:
 (A) New budget authority, -\$59,061,000,000.
 (B) Outlays, -\$44,044,000,000.

Fiscal year 2015:
 (A) New budget authority, -\$58,840,000,000.
 (B) Outlays, -\$53,255,000,000.

Fiscal year 2016:
 (A) New budget authority, -\$65,587,000,000.
 (B) Outlays, -\$59,258,000,000.

Fiscal year 2017:
 (A) New budget authority, -\$71,859,000,000.
 (B) Outlays, -\$65,151,000,000.

Fiscal year 2018:
 (A) New budget authority, -\$77,299,000,000.
 (B) Outlays, -\$71,278,000,000.

Fiscal year 2019:
 (A) New budget authority, -\$82,155,000,000.
 (B) Outlays, -\$76,769,000,000.

Fiscal year 2020:
 (A) New budget authority, -\$85,543,000,000.
 (B) Outlays, -\$81,785,000,000.

Fiscal year 2021:
 (A) New budget authority, -\$89,377,000,000.
 (B) Outlays, -\$85,845,000,000.

Fiscal year 2022:

- (A) New budget authority, -\$88,897,000,000.
- (B) Outlays, -\$85,661,000,000.
- Fiscal year 2023:
 - (A) New budget authority, -\$92,469,000,000.
 - (B) Outlays, -\$89,323,000,000.
- (20) Government-wide savings (930):
 - Fiscal year 2014:
 - (A) New budget authority, -\$9,407,000,000.
 - (B) Outlays, -\$6,660,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, -\$21,577,000,000.
 - (B) Outlays, -\$9,971,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, -\$17,617,000,000.
 - (B) Outlays, -\$8,873,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, -\$13,371,000,000.
 - (B) Outlays, -\$6,739,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, -\$11,556,000,000.
 - (B) Outlays, -\$3,340,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, -\$9,584,000,000.
 - (B) Outlays, -\$703,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, -\$8,457,000,000.
 - (B) Outlays, \$1,740,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, -\$7,094,000,000.
 - (B) Outlays, \$3,666,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, -\$21,151,000,000.
 - (B) Outlays, -\$2,703,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, -\$35,807,000,000.
 - (B) Outlays, -\$13,555,000,000.
- (21) Undistributed Offsetting Receipts (950):
 - Fiscal year 2014:
 - (A) New budget authority, -\$75,946,000,000.
 - (B) Outlays, -\$75,946,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, -\$80,864,000,000.
 - (B) Outlays, -\$80,864,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, -\$86,525,000,000.
 - (B) Outlays, -\$86,525,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, -\$90,525,000,000.
 - (B) Outlays, -\$90,525,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, -\$91,645,000,000.
 - (B) Outlays, -\$91,645,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, -\$99,220,000,000.

- (B) Outlays, -\$99,220,000,000.
- Fiscal year 2020:
 - (A) New budget authority, -\$101,316,000,000.
 - (B) Outlays, -\$101,316,000,000.
- Fiscal year 2021:
 - (A) New budget authority, -\$106,332,000,000.
 - (B) Outlays, -\$106,332,000,000.
- Fiscal year 2022:
 - (A) New budget authority, -\$109,276,000,000.
 - (B) Outlays, -\$109,276,000,000.
- Fiscal year 2023:
 - (A) New budget authority, -\$115,049,000,000.
 - (B) Outlays, -\$115,049,000,000.
- (22) Overseas Contingency Operations/Global War on Terrorism (970):
 - Fiscal year 2014:
 - (A) New budget authority, \$93,000,000,000.
 - (B) Outlays, \$46,621,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$40,851,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$39,948,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$38,789,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$37,451,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$37,570,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$37,431,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$37,466,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$38,102,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$35,000,000,000.
 - (B) Outlays, \$37,694,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS OF SPENDING REDUCTION.—The House committees named in subsection (b) shall submit, not later than _____, 2013, recommendations to the Committee on the Budget of the House of Representatives. After receiving those rec-

ommendations, such committee shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(b) INSTRUCTIONS.—

(1) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(2) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(3) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(4) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(5) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(6) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(7) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

(8) COMMITTEE ON WAYS AND MEANS.—The Committee on Ways and Means shall submit changes in laws within its jurisdiction sufficient to reduce the deficit by at least \$1,000,000,000 for the period of fiscal years 2013 through 2023.

TITLE III—RECOMMENDED LEVELS FOR FISCAL YEARS 2030, 2040, AND 2050

SEC. 301. LONG-TERM BUDGETING.

The following are the recommended revenue, spending, and deficit levels for each of fiscal years 2030, 2040, and 2050 as a percent of the gross domestic product of the United States:

(1) FEDERAL REVENUES.—The appropriate levels of Federal revenues are as follows:

Fiscal year 2030: 19.1 percent.

Fiscal year 2040: 19.1 percent.

Fiscal year 2050: 19.1 percent.

(2) BUDGET OUTLAYS.—The appropriate levels of total budget outlays are not to exceed:

Fiscal year 2030: 19.1 percent.

Fiscal year 2040: 19.1 percent.

Fiscal year 2050: 19.1 percent.

(3) DEFICITS.—The appropriate levels of deficits are not to exceed:

Fiscal year 2030: 0 percent.

Fiscal year 2040: 0 percent.

Fiscal year 2050: 0 percent.

TITLE IV—RESERVE FUNDS

SEC. 401. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that only consists of a full repeal the Patient Protection and Affordable Care Act and the health care-related provisions of the Health Care and Education Reconciliation Act of 2010.

SEC. 402. DEFICIT-NEUTRAL RESERVE FUND FOR THE REFORM OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that reforms or replaces the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 403. DEFICIT-NEUTRAL RESERVE FUND RELATED TO THE MEDICARE PROVISIONS OF THE 2010 HEALTH CARE LAWS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals all or part of the decreases in Medicare spending included in the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 404. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 405. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE TAX CODE.

In the House, if the Committee on Ways and Means reports a bill or joint resolution that reforms the Internal Revenue Code of 1986, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 406. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE AGREEMENTS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that implements a trade agreement, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 407. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, that decreases revenue, but only if such measure would not increase the deficit for the period of fiscal years 2014 through 2023.

SEC. 408. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106–393) by the amounts provided by that legislation for those purposes, if such legislation requires sustained yield timber harvests obviating the need for funding under P.L. 106–393 in the future and would not increase the deficit or direct spending for fiscal year 2014, the period of fiscal years 2014 through 2018, or the period of fiscal years 2014 through 2023.

SEC. 409. IMPLEMENTATION OF A DEFICIT AND LONG-TERM DEBT REDUCTION AGREEMENT.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this concurrent resolution to accommodate the enactment of a deficit and long-term debt reduction agreement if it includes permanent spending reductions and reforms to direct spending programs.

TITLE V—ESTIMATES OF DIRECT SPENDING

SEC. 501. DIRECT SPENDING.

(a) MEANS-TESTED DIRECT SPENDING.—

(1) For means-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 6.7 percent.

(2) For means-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 6.2 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for means-tested direct spending:

(A) In 1996, a Republican Congress and a Democratic president reformed welfare by limiting the duration of benefits, giving States more control over the program, and helping recipients find work. In the five years following passage, child-poverty rates fell, welfare caseloads fell, and workers' wages increased. This budget applies the lessons of welfare reform to both the Supplemental Nutrition Assistance Program and Medicaid.

(B) For Medicaid, this budget converts the Federal share of Medicaid spending into a flexible State allotment tailored to meet each State's needs, indexed for inflation and population growth. Such a reform would end the misguided one-size-fits-all approach that has tied the hands of State governments. Instead, each State would have the freedom and flexibility to tailor a Medicaid program that fits the needs of its unique population. Moreover, this budget repeals the Medicaid expansions in the President's health care law, relieving State governments of its crippling one-size-fits-all enrollment mandates.

(C) For the Supplemental Nutrition Assistance Program, this budget converts the program into a flexible State allotment tailored to meet each State's needs, increases in the Department of Agriculture Thrifty Food Plan index and beneficiary growth. Such a reform would provide incentives for States to ensure dollars will go towards those who need them most. Additionally, it requires that more stringent work requirements and time limits apply under the program.

(b) NONMEANS-TESTED DIRECT SPENDING.—

(1) For nonmeans-tested direct spending, the average rate of growth in the total level of outlays during the 10-year period preceding fiscal year 2014 is 5.9 percent.

(2) For nonmeans-tested direct spending, the estimated average rate of growth in the total level of outlays during the 10-year period beginning with fiscal year 2014 is 5.3 percent under current law.

(3) The following reforms are proposed in this concurrent resolution for nonmeans-tested direct spending:

(A) For Medicare, this budget advances policies to put seniors, not the Federal Government, in control of their health care decisions. Those in or near retirement will see no changes, while future retirees would be given a choice of private plans competing alongside the traditional fee-for-service Medicare program. Medicare would provide a premium-support payment either to pay for or offset the premium of the plan chosen by the senior, depending on the plan's cost. The Medicare premium-support payment would be adjusted so that the sick would receive higher payments if their conditions worsened; lower-income seniors would receive additional assistance to help cover out-of-pocket costs; and wealthier seniors would assume responsibility for a greater share of their premiums. Putting seniors in charge of how their health care dollars are spent will force providers to compete against each other on price and quality. This market competition will act as a real check on widespread waste and skyrocketing health care costs.

(B) In keeping with a recommendation from the National Commission on Fiscal Responsibility and Reform, this budget calls for Federal employees—including Members of Congress and congressional staff—to make greater contributions toward their own retirement.

TITLE VI—BUDGET ENFORCEMENT

SEC. 601. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) **FINDINGS.**—The House finds the following:

(1) The Veterans Health Care Budget and Reform Transparency Act of 2009 provides advance appropriations for the following veteran medical care accounts: Medical Services, Medical Support and Compliance, and Medical Facilities.

(2) The President has yet to submit a budget request as required under section 1105(a) of title 31, United States Code, including the request for the Department of Veterans Affairs, for fiscal year 2014, hence the request for veteran medical care advance appropriations for fiscal year 2015 is unavailable as of the writing of this concurrent resolution.

(3) This concurrent resolution reflects the most up-to-date estimate on veterans' health care needs included in the President's fiscal year 2013 request for fiscal year 2015.

(b) **IN GENERAL.**—In the House, except as provided for in subsection (c), any bill or joint resolution, or amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(c) **EXCEPTIONS.**—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (d)(1) or identified in the report to accompany this concurrent resolution or the joint explanatory statement of managers to accompany this concurrent resolution under the heading "Accounts Identified for Advance Appropriations".

(d) LIMITATIONS.—For fiscal year 2015, the aggregate level of advance appropriations shall not exceed—

(1) \$55,483,000,000 for the following programs in the Department of Veterans Affairs—

(A) Medical Services;

(B) Medical Support and Compliance; and

(C) Medical Facilities accounts of the Veterans Health Administration; and

(2) \$28,852,000,000 in new budget authority for all programs identified pursuant to subsection (c).

(e) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution, or amendment thereto or conference report thereon, making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2015.

SEC. 602. CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chair of the Committee on the Budget may adjust any allocations, aggregates, and other appropriate levels in this concurrent resolution accordingly.

SEC. 603. ADJUSTMENTS OF AGGREGATES, ALLOCATIONS, AND APPROPRIATE BUDGETARY LEVELS.

(a) ADJUSTMENTS OF DISCRETIONARY AND DIRECT SPENDING LEVELS.—If a committee (other than the Committee on Appropriations) reports a bill or joint resolution, or amendment thereto or conference report thereon, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chair of the Committee on the Budget may decrease the allocation to such committee and increase the allocation of discretionary spending (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2014 by an amount equal to the new budget authority (and outlays flowing therefrom) provided for in a bill or joint resolution making appropriations for the same purpose.

(b) ADJUSTMENTS TO IMPLEMENT DISCRETIONARY SPENDING CAPS AND TO FUND VETERANS’ PROGRAMS AND OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—

(1) FINDINGS.—(A) The President has not submitted a budget for fiscal year 2014 as required pursuant to section 1105(a) of title 31, United States Code, by the date set forth in that section.

(B) In missing the statutory date by which the budget must be submitted, this will be the fourth time in five years the President has not complied with that deadline.

(C) This concurrent resolution reflects the levels of funding for veterans’ medical programs as set forth in the President’s fiscal year 2013 budget request.

(2) PRESIDENT’S BUDGET SUBMISSION.—In order to take into account any new information included in the budget submission by the President for fiscal year 2014, the chair of the Com-

mittee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels for veterans' programs, Overseas Contingency Operations/Global War on Terrorism, or the 302(a) allocation to the Committee on Appropriations set forth in the report of this concurrent resolution to conform with section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted by section 251A of such Act).

(3) REVISED CONGRESSIONAL BUDGET OFFICE BASELINE.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels to reflect changes resulting from technical and economic assumptions in the most recent baseline published by the Congressional Budget Office.

(c) DETERMINATIONS.—For the purpose of enforcing this concurrent resolution on the budget in the House, the allocations and aggregate levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for fiscal year 2014 and the period of fiscal years 2014 through fiscal year 2023 shall be determined on the basis of estimates made by the chair of the Committee on the Budget and such chair may adjust such applicable levels of this concurrent resolution.

SEC. 604. LIMITATION ON LONG-TERM SPENDING.

(a) IN GENERAL.—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing direct spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) TIME PERIODS.—The applicable periods for purposes of this section are any of the four consecutive ten fiscal-year periods beginning with fiscal year 2024.

SEC. 605. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the report accompanying this concurrent resolution on the budget or the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—For purposes of applying sections 302(f) and 311 of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) ADJUSTMENTS.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, if such

adjustments do not cause a net increase in the deficit for fiscal year 2014 and the period of fiscal years 2014 through 2023.

SEC. 606. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of the allocations, aggregates, and other appropriate levels made pursuant to this concurrent resolution shall—

- (1) apply while that measure is under consideration;
- (2) take effect upon the enactment of that measure; and
- (3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this concurrent resolution.

(c) BUDGET COMPLIANCE.—(1) The consideration of any bill or joint resolution, or amendment thereto or conference report thereon, for which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other appropriate levels of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 604.

(2) Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

- (A) the enactment of that bill or resolution;
- (B) the adoption and enactment of that amendment; or
- (C) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 302(a) of such Act for that fiscal year to be exceeded or the sum of the limits on the security and non-security category in section 251A of the Balanced Budget and Emergency Deficit Control Act as reduced pursuant to such section.

SEC. 607. CONGRESSIONAL BUDGET OFFICE ESTIMATES.

(a) FINDINGS.—The House finds the following:

(1) Costs of Federal housing loans and loan guarantees are treated unequally in the budget. The Congressional Budget Office uses fair-value accounting to measure the costs of Fannie Mae and Freddie Mac, but determines the cost of other Federal housing programs on the basis of the Federal Credit Reform Act of 1990 (“FCRA”).

(2) The fair-value accounting method uses discount rates which incorporate the risk inherent to the type of liability being estimated in addition to Treasury discount rates of the proper maturity length. In contrast, cash-basis accounting solely uses the discount rates of the Treasury, failing to incorporate risks such as prepayment and default risk.

(3) The Congressional Budget Office estimates that the \$635 billion of loans and loan guarantees issued in 2013 alone would generate budgetary savings of \$45 billion over their life-

time using FCRA accounting. However, these same loans and loan guarantees would have a lifetime cost of \$11 billion under fair-value methodology.

(4) The majority of loans and guarantees issued in 2013 would show deficit reduction of \$9.1 billion under FCRA methodology, but would increase the deficit by \$4.7 billion using fair-value accounting.

(b) FAIR VALUE ESTIMATES.—Upon the request of the chair or ranking member of the Committee on the Budget, any estimate prepared by the Director of the Congressional Budget Office for a measure under the terms of title V of the Congressional Budget Act of 1974, “credit reform”, as a supplement to such estimate shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by such measure.

(c) FAIR VALUE ESTIMATES FOR HOUSING PROGRAMS.—Whenever the Director of the Congressional Budget Office prepares an estimate pursuant to section 402 of the Congressional Budget Act of 1974 of the costs which would be incurred in carrying out any bill or joint resolution and if the Director determines that such bill or joint resolution has a cost related to a housing or residential mortgage program under the FCRA, then the Director shall also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by the provisions of such bill or joint resolution that result in such cost.

(d) ENFORCEMENT.—If the Director of the Congressional Budget Office provides an estimate pursuant to subsection (b) or (c), the chair of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

SEC. 608. TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS.

For purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, or the rules or orders of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report thereon, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 609. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.

(a) ALLOCATION.—In the House, there shall be a separate allocation to the Committee on Appropriations for overseas contingency operations/global war on terrorism. For purposes of enforcing such separate allocation under section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” shall be deemed to refer to fiscal year 2014. Such separate allocation shall be the exclusive allocation for overseas contingency operations/global war on terrorism under section 302(a) of such Act. Section 302(c) of such Act shall not apply to such separate allocation. The Committee on Appropriations may provide suballocations

of such separate allocation under section 302(b) of such Act. Spending that counts toward the allocation established by this section shall be designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) ADJUSTMENT.—In the House, for purposes of subsection (a) for fiscal year 2014, no adjustment shall be made under section 314(a) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 610. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE VII—POLICY STATEMENTS

SEC. 701. POLICY STATEMENT ON ECONOMIC GROWTH AND JOB CREATION.

(a) FINDINGS.—The House finds the following:

(1) Although the U.S. economy technically emerged from recession roughly four years ago, the recovery has felt more like a malaise than a rebound with the unemployment rate still elevated and real economic growth essentially flat in the final quarter of 2012.

(2) The enormous build-up of Government debt in the past four years has worsened the already unsustainable course of Federal finances and is an increasing drag on the U.S. economy.

(3) During the recession and early stages of recovery, the Government took a variety of measures to try to boost economic activity. Despite the fact that these stimulus measures added over \$1 trillion to the debt, the economy continues to perform at a sub-par trend.

(4) Investors and businesses make decisions on a forward-looking basis. They know that today's large debt levels are simply tomorrow's tax hikes, interest rate increases, or inflation – and they act accordingly. It is this debt overhang, and the uncertainty it generates, that is weighing on U.S. growth, investment, and job creation.

(5) Economists have found that the key to jump-starting U.S. economic growth and job creation is tangible action to rein in the growth of Government spending with the aim of getting debt under control.

(6) Stanford economist John Taylor has concluded that reducing Government spending now would “reduce the threats of higher taxes, higher interest rates and a fiscal crisis”, and

would therefore provide an immediate stimulus to the economy.

(7) Federal Reserve Chairman Ben Bernanke has stated that putting in place a credible plan to reduce future deficits “would not only enhance economic performance in the long run, but could also yield near-term benefits by leading to lower long-term interest rates and increased consumer and business confidence.”

(8) Lowering spending would boost market confidence and lessen uncertainty, leading to a spark in economic expansion, job creation, and higher wages and income.

(b) **POLICY ON ECONOMIC GROWTH AND JOB CREATION.**—It is the policy of this resolution to promote faster economic growth and job creation. By putting the budget on a sustainable path, this resolution ends the debt-fueled uncertainty holding back job creators. Reforms to the tax code put American businesses and workers in a better position to compete and thrive in the 21st century global economy. This resolution targets the regulatory red tape and cronyism that stack the deck in favor of special interests. All of the reforms in this resolution serve as means to the larger end of growing the economy and expanding opportunity for all Americans.

SEC. 702. POLICY STATEMENT ON TAX REFORM.

(a) **FINDINGS.**—The House finds the following:

(1) A world-class tax system should be simple, fair, and promote (rather than impede) economic growth. The U.S. tax code fails on all three counts – it is notoriously complex, patently unfair, and highly inefficient. The tax code’s complexity distorts decisions to work, save, and invest, which leads to slower economic growth, lower wages, and less job creation.

(2) Since 2001 alone, there have been more than 3,250 changes to the code. Many of the major changes over the years have involved carving out special preferences, exclusions, or deductions for various activities or groups. These loopholes add up to more than \$1 trillion per year and make the code unfair, inefficient, and very complex.

(3) These tax preferences are disproportionately used by upper-income individuals. For instance, the top 1 percent of taxpayers reap about 3 times as much benefit from special tax credits and deductions (excluding refundable credits) than the middle class and 13 times as much benefit than the lowest income quintile.

(4) The large amount of tax preferences that pervade the code end up narrowing the tax base by as much as 50 percent. A narrow tax base, in turn, requires much higher tax rates to raise a given amount of revenue.

(5) The National Taxpayer Advocate reports that taxpayers spent 6.1 billion hours in 2012 complying with tax requirements.

(6) Standard economic theory shows that high marginal tax rates dampen the incentives to work, save, and invest, which reduces economic output and job creation. Lower economic output, in turn, mutes the intended revenue gain from higher marginal tax rates.

(7) Roughly half of U.S. active business income and half of private sector employment are derived from business entities (such as partnerships, S corporations, and sole proprietorships) that are taxed on a “pass-through” basis, meaning the income flows through to the tax returns of the individual owners and is taxed at the individual rate structure rather than at the corporate rate. Small businesses in particular tend to choose this form for Federal tax purposes, and the top Federal rate on such small business income reaches 44.6 percent. For these reasons, sound economic policy requires lowering marginal rates on these pass-through entities.

(8) The U.S. corporate income tax rate (including Federal, State, and local taxes) sums to just over 39 percent, the highest rate in the industrialized world. The total Federal marginal tax rate on corporate income now reaches 55 percent, when including the shareholder-level tax on dividends and capital gains. Tax rates this high suppress wages and discourage investment and job creation, distort business activity, and put American businesses at a competitive disadvantage with foreign competitors.

(9) By deterring potential investment, the U.S. corporate tax restrains economic growth and job creation. The U.S. tax rate differential with other countries also fosters a variety of complicated multinational corporate behaviors intended to avoid the tax, which have the effect of moving the tax base offshore, destroying American jobs, and decreasing corporate revenue.

(10) The “worldwide” structure of U.S. international taxation essentially taxes earnings of U.S. firms twice, putting them at a significant competitive disadvantage with competitors with more competitive international tax systems.

(11) Reforming the U.S. tax code to a more competitive international system would boost the competitiveness of U.S. companies operating abroad and it would also greatly reduce tax avoidance.

(12) The tax code imposes costs on American workers through lower wages, on consumers in higher prices, and on investors in diminished returns.

(13) Revenues have averaged 18 percent of the economy throughout modern American history. Revenues rise above this level under current law to 19.1 percent of the economy, and – if the spending restraints in this budget are enacted – this level is sufficient to fund Government operations over time.

(14) Attempting to raise revenue through tax increases to meet out-of-control spending would sink the economy.

(15) Closing tax loopholes to fund spending does not constitute fundamental tax reform.

(16) The goal of tax reform should be to curb or eliminate loopholes and use those savings to lower tax rates across the board – not to fund more wasteful Government spending. Tax reform should be revenue-neutral and should not be an excuse to raise taxes on the American people.

(b) POLICY ON TAX REFORM.—It is the policy of this resolution that Congress should enact legislation during fiscal year 2014 that

provides for a comprehensive reform of the U.S. tax code to promote economic growth, create American jobs, increase wages, and benefit American consumers, investors, and workers through revenue-neutral fundamental tax reform, which should be reported by the Committee on Ways and Means to the House not later than December 31, 2013, that—

(1) simplifies the tax code to make it fairer to American families and businesses and reduces the amount of time and resources necessary to comply with tax laws;

(2) substantially lowers tax rates for individuals, with a goal of achieving a top individual rate of 25 percent and consolidating the current seven individual income tax brackets into two brackets with a first bracket of 10 percent;

(3) repeals the Alternative Minimum Tax;

(4) reduces the corporate tax rate to 25 percent; and

(5) transitions the tax code to a more competitive system of international taxation.

SEC. 703. POLICY STATEMENT ON MEDICARE.

(a) FINDINGS.—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in or near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2023 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.2 percent per year, and under the Congressional Budget Office’s alternative fiscal scenario, direct spending on Medicare is projected to exceed 7 percent of GDP by 2040 and reach 13 percent of GDP by 2085.

(3) The President’s health care law created a new Federal agency called the Independent Payment Advisory Board (“IPAB”) empowered with unilateral authority to cut Medicare spending. As a result of that law—

(A) IPAB will be tasked with keeping the Medicare per capita growth below a Medicare per capita target growth rate. Prior to 2018, the target growth rate is based on the five-year average of overall inflation and medical inflation. Beginning in 2018, the target growth rate will be the five-year average increase in the nominal Gross Domestic Product (GDP) plus one percentage point;

(B) the fifteen unelected, unaccountable bureaucrats of IPAB will make decisions that will reduce seniors access to care;

(C) the nonpartisan Office of the Medicare Chief Actuary estimates that the provider cuts already contained in the Affordable Care Act will force 15 percent of hospitals, skilled nursing facilities, and home health agencies to close in 2019; and

(D) additional cuts from the IPAB board will force even more health care providers to close their doors, and the Board should be repealed.

(4) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) **POLICY ON MEDICARE REFORM.**—It is the policy of this resolution to protect those in or near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) **ASSUMPTIONS.**—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in or near retirement.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will maintain traditional fee-for-service as an option.

(4) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(5) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

SEC. 704. POLICY STATEMENT ON SOCIAL SECURITY.

(a) **FINDINGS.**—The House finds the following:

(1) More than 55 million retirees, individuals with disabilities, and survivors depend on Social Security. Since enactment, Social Security has served as a vital leg on the “three-legged stool” of retirement security, which includes employer provided pensions as well as personal savings.

(2) The Social Security Trustees Report has repeatedly recommended that Social Security’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Social Security becomes more precarious and the threat to seniors and those receiving Social Security disability benefits becomes more pronounced:

(A) In 2016, the Disability Insurance Trust Fund will be exhausted and program revenues will be unable to pay scheduled benefits.

(B) In 2033, the combined Old-Age and Survivors and Disability Trust Funds will be exhausted, and program revenues will be unable to pay scheduled benefits.

(C) With the exhaustion of the Trust Funds in 2033, benefits will be cut 25 percent across the board, devastating those currently in or near retirement and those who rely on Social Security the most.

(3) The recession and continued low economic growth have exacerbated the looming fiscal crisis facing Social Security. The most recent CBO projections find that Social Security will run cash deficits of \$1.319 trillion over the next 10 years.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, re-

forms should take into consideration the need to protect lower-income Americans' retirement security.

(5) The Disability Insurance program provides an essential income safety net for those with disabilities and their families. According to the Congressional Budget Office (CBO), between 1970 and 2012, the number of people receiving disability benefits (both disabled workers and their dependent family members) has increased by over 300 percent from 2.7 million to over 10.9 million. This increase is not due strictly to population growth or decreases in health. David Autor and Mark Duggan have found that the increase in individuals on disability does not reflect a decrease in self-reported health. CBO attributes program growth to changes in demographics, changes in the composition of the labor force and compensation, as well as Federal policies.

(6) If this program is not reformed, families who rely on the lifeline that disability benefits provide will face benefit cuts of up to 25 percent in 2016, devastating individuals who need assistance the most.

(7) Americans deserve action by the President, the House, and the Senate to preserve and strengthen Social Security. It is critical that bipartisan action be taken to address the looming insolvency of Social Security. In this spirit, this resolution creates a bipartisan opportunity to find solutions by requiring policymakers to ensure that Social Security remains a critical part of the safety net.

(b) POLICY STATEMENT ON SOCIAL SECURITY.—It is the policy of this resolution that Congress should work on a bipartisan basis to make Social Security sustainably solvent. This resolution assumes reform of a current law trigger, such that:

(1) If in any year the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund annual Trustees Report determines that the 75-year actuarial balance of the Social Security Trust Funds is in deficit, and the annual balance of the Social Security Trust Funds in the 75th year is in deficit, the Board of Trustees shall, no later than September 30 of the same calendar year, submit to the President recommendations for statutory reforms necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th-year. Recommendations provided to the President must be agreed upon by both Public Trustees of the Board of Trustees.

(2) Not later than December 1 of the same calendar year in which the Board of Trustees submit their recommendations, the President shall promptly submit implementing legislation to both Houses of Congress including his recommendations necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year. The Majority Leader of the Senate and the Majority Leader of the House shall introduce the President's legislation upon receipt.

(3) Within 60 days of the President submitting legislation, the committees of jurisdiction to which the legislation has been referred shall report the bill which shall be considered by the full House or Senate under expedited procedures.

- (4) Legislation submitted by the President shall—
- (A) protect those in or near retirement;
 - (B) preserve the safety net for those who count on Social Security the most, including those with disabilities and survivors;
 - (C) improve fairness for participants;
 - (D) reduce the burden on, and provide certainty for, future generations; and
 - (E) secure the future of the Disability Insurance program while addressing the needs of those with disabilities today and improving the determination process.

SEC. 705. POLICY STATEMENT ON HIGHER EDUCATION AFFORDABILITY.

(a) FINDINGS.—The House finds the following:

(1) A well-educated workforce is critical to economic, job, and wage growth.

(2) More than 21 million students are enrolled in American colleges and universities.

(3) Over the last decade, tuition and fees have been growing at an unsustainable rate. Between the 2001-2002 Academic Year and the 2011-2012 Academic Year:

(A) Published tuition and fees for in-State students at public four-year colleges and universities increased at an average rate of 5.6 percent per year beyond the rate of general inflation.

(B) Published tuition and fees for in-State students at public two-year colleges and universities increased at an average rate of 3.8 percent per year beyond the rate of general inflation.

(C) Published tuition and fees for in-State students at private four-year colleges and universities increased at an average rate of 2.6 percent per year beyond the rate of general inflation.

(4) Over that same period, Federal financial aid has increased 140 percent beyond the rate of general inflation.

(5) This spending has failed to make college more affordable.

(6) In his 2012 State of the Union Address, President Obama noted that, “We can’t just keep subsidizing skyrocketing tuition; we’ll run out of money.”

(7) American students are chasing ever-increasing tuition with ever-increasing debt. According to the Federal Reserve Bank of New York, student debt nearly tripled between 2004 and 2012, and now stands at nearly \$1 trillion. Student debt now has the second largest balance after mortgage debt.

(8) Students are carrying large debt loads and too many fail to complete college or end up defaulting on these loans due to their debt burden and a weak economy and job market.

(9) Based on estimates from the Congressional Budget Office, the Pell Grant Program will face a fiscal shortfall beginning in fiscal year 2015 and continuing in each subsequent year in the current budget window.

(10) Failing to address these problems will jeopardize access and affordability to higher education for America's young people.

(b) **POLICY ON HIGHER EDUCATION AFFORDABILITY.**—It is the policy of this resolution to address the root drivers of tuition inflation, by—

(1) targeting Federal financial aid to those most in need;

(2) streamlining programs that provide aid to make them more effective;

(3) maintaining the maximum Pell grant award level at \$5,645 in each year of the budget window; and

(4) removing regulatory barriers in higher education that act to restrict flexibility and innovative teaching, particularly as it relates to non-traditional models such as online coursework and competency-based learning.

SEC. 706. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.

(a) **FINDINGS.**—The House finds the following:

(1) According to the last available estimate from the Office of Management and Budget, Federal agencies were expected to hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remains available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) **DEFICIT REDUCTION.**—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

SEC. 707. POLICY STATEMENT ON RESPONSIBLE STEWARDSHIP OF TAXPAYER DOLLARS.

(a) **FINDINGS.**—The House finds the following:

(1) The House of Representatives cut budgets for Members of Congress, House committees, and leadership offices by 5 percent in 2011 and an additional 6.4 percent in 2012.

(2) The House of Representatives achieved savings of \$36.5 million over three years by consolidating House operations and renegotiating contracts.

(b) POLICY.—It is the policy of this resolution that:

(1) The House of Representatives must be a model for the responsible stewardship of taxpayer resources and therefore must identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration should review the policies pertaining to the services provided to Members and committees of the House, and should identify ways to reduce any subsidies paid for the operation of the House gym, barber shop, salon, and the House dining room.

(2) No taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

SEC. 708. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.

(a) FINDINGS.—The House finds the following:

(1) The Government Accountability Office (“GAO”) is required by law to identify examples of waste, duplication, and overlap in Federal programs, and has so identified dozens of such examples.

(2) In testimony before the Committee on Oversight and Government Reform, the Comptroller General has stated that addressing the identified waste, duplication, and overlap in Federal programs “could potentially save tens of billions of dollars.”

(3) In 2011 and 2012, the Government Accountability Office issued reports showing excessive duplication and redundancy in Federal programs including—

(A) 209 “Science, Technology, Engineering, and Mathematics” (“STEM”) education programs in 13 different Federal agencies at a cost of \$3 billion annually;

(B) 200 separate Department of Justice crime prevention and victim services grant programs with an annual cost of \$3.9 billion in 2010;

(C) 20 different Federal entities administer 160 housing programs and other forms of Federal assistance for housing with a total cost of \$170 billion in 2010;

(D) 17 separate Homeland Security preparedness grant programs that spent \$37 billion between fiscal year 2011 and 2012;

(E) 13 programs, 3 tax benefits, and one loan program to reduce diesel emissions; and

(F) 94 different initiatives run by 11 different agencies to encourage “green building” in the private sector.

(4) The Federal Government spends about \$80 billion each year for information technology. GAO has identified broad ac-

quisition failures, waste, and unnecessary duplication in the Government's information technology infrastructure. Experts have estimated that eliminating these problems could save 25 percent – or \$20 billion – of the Government's annual information technology budget.

(5) Federal agencies reported an estimated \$108 billion in improper payments in fiscal year 2012.

(6) Under clause 2 of Rule XI of the Rules of the House of Representatives, each standing committee must hold at least one hearing during each 120 day period following its establishment on waste, fraud, abuse, or mismanagement in Government programs.

(7) According to the Congressional Budget Office, by fiscal year 2014, 42 laws will expire, possibly resulting in \$685 billion in unauthorized appropriations. Timely reauthorizations of these laws would ensure assessments of program justification and effectiveness.

(8) The findings resulting from congressional oversight of Federal Government programs should result in programmatic changes in both authorizing statutes and program funding levels.

(b) **POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**—Each authorizing committee annually shall include in its Views and Estimates letter required under section 301(d) of the Congressional Budget Act of 1974 recommendations to the Committee on the Budget of programs within the jurisdiction of such committee whose funding should be reduced or eliminated.

SEC. 709. POLICY STATEMENT ON UNAUTHORIZED SPENDING.

It is the policy of this resolution that the committees of jurisdiction should review all unauthorized programs funded through annual appropriations to determine if the programs are operating efficiently and effectively. Committees should reauthorize those programs that in the committees' judgment should continue to receive funding.

TITLE VIII—SENSE OF THE HOUSE PROVISIONS

SEC. 801. SENSE OF THE HOUSE ON THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

Passed the House of Representatives March 21, 2013.

**SELECTED PROVISIONS OF THE
REPORT ON H. CON. RES. 25**

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**TITLE III—RECOMMENDED LEVELS FOR
FISCAL YEARS 2030, 2040, AND 2050**

SECTION 301. LONG-TERM BUDGETING

This section sets out recommended budgetary levels for certain budget aggregates for each of fiscal years 2030, 2040, and 2050 as a percentage of the gross domestic product of the United States as follows:

Federal Revenues

Fiscal Year 2030: 19.1 percent
Fiscal Year 2040: 19.1 percent
Fiscal Year 2050: 19.1 percent

Budget Outlays

Fiscal Year 2030: 19.1 percent
Fiscal Year 2040: 19.1 percent
Fiscal Year 2050: 19.1 percent

Deficits

Fiscal Year 2030: 0 percent
Fiscal Year 2040: 0 percent
Fiscal Year 2050: 0 percent

TITLE IV—RESERVE FUNDS

SECTION 401. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS

This section permits the Chairman of the Committee on the Budget to revise allocations of spending authority, provided to committees of the House, and to adjust other budgetary enforcement levels for a measure that fully repeals the Patient Protection and Affordable Care Act (Public Law 111-148) and the health care-related provisions of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152). Those measures are the health care bills enacted into law in 2010. These adjustments would not be available for measures that only offered a partial repeal, such as a repeal of certain sections of these laws. The reserve fund is intended to apply to the health care provisions and would not apply to the repeal of the education-related provisions of the reconciliation act referred to above.

A measure repealing the health care laws must solely achieve that purpose and may not include language which is extraneous to that purpose, whether such language has a budgetary effect or not. In addition, the repeal must be permanent and may not include a sunset date.

Multiple measures may take advantage of the reserve fund, as long as each meets the parameters outlined, until such repeal is enacted.

An amendment (or a motion to recommit), if it qualifies under the terms of this reserve fund, may be offered to an unrelated measure, but should such a measure as amended be returned to the House as a conference report or an amendment between the Houses, no adjustments would be made if that measure contained text unrelated to the purpose of this reserve fund which is to repeal the laws referred to above.

A measure receiving an adjustment under the terms of this reserve fund may be open for amendment, subject to the special rule providing for its consideration, but the amendment, if it does not meet the terms outlined in this section, must be compliant with the Budget Act and the Rules of the House without regard to the adjustments made to the underlying measure.

SECTION 402. DEFICIT-NEUTRAL RESERVE FUND FOR THE REFORM OF THE 2010 HEALTH CARE LAWS

This section permits the Chairman of the Committee on the Budget to revise allocations of spending authority, provided to committees of the House, and to adjust other budgetary enforcement levels for a measure that reforms or replaces the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), as long as the measure is deficit-neutral for the period of fiscal years 2014 through 2023. Those public laws are the health care bills enacted in 2010.

For purposes of this section, if a bill, joint resolution, amendment or conference report fulfills the purpose of reforming or replacing these health care laws and is deficit neutral in the applicable period, then legislative text not related to these purposes may be included as long as the entire measure meets these two requirements.

SECTION 403. DEFICIT-NEUTRAL RESERVE FUND RELATED TO THE MEDICARE PROVISIONS OF THE 2010 HEALTH CARE LAWS

This section permits the Chairman of the Committee on the Budget to revise allocations of spending authority, provided to committees of the House, and to adjust other budgetary enforcement levels for a measure that repeals the Medicare spending cuts in the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), as long as the measure is deficit-neutral for the period of fiscal years 2014 through 2023.

A measure that repeals only part of these Medicare spending reductions is also eligible for these adjustments. A series of bills, joint resolutions, amendments or conference reports may receive adjustments under this section, only limited by the cumulative amount of the Medicare spending reductions included in the public laws referenced, as estimated by the Chairman of the Committee on the Budget.

Once the limit is reached through enacted measures, no more adjustments may be made under this reserve fund. The amount necessary to repeal the Medicare spending cuts is a cap on the adjustments that may be made under this section, but as measures are

considered in the House that meet these terms, the amount is not reduced until such measure fulfilling this purpose is enacted.

SECTION 404. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM

This section permits the Chairman of the Committee on the Budget to revise the allocations of spending authority provided to applicable committees and to adjust other budgetary enforcement levels in this resolution for a measure amending or superseding the system for updating payments under section 1848 of the Social Security Act, as long as the measure does not increase the deficit in the period of fiscal years 2014 through 2023.

SECTION 405. DEFICIT-NEUTRAL RESERVE FUND FOR REFORMING THE TAX CODE

This section permits the Chairman of the Committee on the Budget to revise the allocations of spending authority provided to the Committee on Ways and Means and to adjust other budgetary enforcement levels in this resolution for bills, joint resolutions, amendments or conference reports reforming the Internal Revenue Code of 1986, as long as such a measure does not increase the deficit in the period of fiscal years 2014 through 2023.

Since 1997, the Rules of the House of Representatives (now Rule XIII, clause 3(h)(2)), have required the publication of a macroeconomic impact analysis from the Joint Committee on Taxation (JCT) of legislation amending the tax code. This section is designed to facilitate comprehensive, fundamental tax reform that significantly broadens the tax base and lowers tax rates (see the Revenue chapter of this report for additional details). Reform of this sort could have significant economic effects. The Chairman of the Committee on the Budget will consider the JCT macroeconomic impact analysis in determining if the conditions in this section have been met.

SECTION 406. DEFICIT-NEUTRAL RESERVE FUND FOR TRADE AGREEMENTS

This section permits the Chairman of the Committee on the Budget to revise the allocations of spending authority provided to the Committee on Ways and Means and to adjust other budgetary enforcement levels in this resolution for legislation that implements a trade agreement, as long as such a measure does not increase the deficit in the period of fiscal years 2014 through 2023.

SECTION 407. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES

This section permits the Chairman of the Committee on the Budget to revise the allocations of spending authority provided to the Committee on Ways and Means for legislation that causes a decrease in revenue. The Chairman of the Committee on the Budget may adjust the allocations and aggregates of this concurrent resolution if the measure does not increase the deficit in the period of fiscal years 2014 through 2023. This allows the Committee on Ways and Means to report a bill that reduces revenue below the level provided for in the concurrent resolution on the budget but only if it decreases outlays by an equal or greater amount in the applicable period.

SECTION 408. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS

This concurrent resolution provides for a deficit-neutral reserve fund to accommodate the extension of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) in order to provide the federal government, local counties, and industry the time necessary to enact, implement, and begin performing sustained yield harvests of federal timber lands on which local counties are financially dependent. The plan assumed by this reserve fund is based on the best available science, provides for active forest management to improve the health of the resource, creates strong local family-wage job markets, and provides rural counties with fiscal independence from federal payments owed to them because of a lack of timber harvests on federal lands.

SECTION 409. IMPLEMENTATION OF A DEFICIT AND LONG-TERM DEBT REDUCTION AGREEMENT

This section permits the Chairman of the Committee on the Budget to revise the allocations, aggregates, and other appropriate levels in this resolution to accommodate the enactment of a deficit and long-term debt reduction agreement if it includes permanent spending reductions and reforms to direct spending programs.

Under the Budget Control Act of 2011 (BCA), at least \$1.2 trillion in deficit reduction was to be accomplished in the period of fiscal years 2013 through 2021 by legislation recommended by a specially created Joint Select Committee on Deficit Reduction. When that committee was unable to meet that budget goal, an automatic enforcement procedure ensured that this deficit reduction was achieved but did so in a way that focused disproportionately on the 36 percent of the budget that is approved annually through the appropriations process.

Under the fiscal year 2013 sequester, for example, discretionary spending bore fully 80 percent of the spending cuts and in fiscal year 2014 discretionary spending is estimated to absorb 84 percent of the automatic enforcement burden. Given the projected 78 percent growth of mandatory spending programs by 2023, the BCA's focus on discretionary spending is misplaced and inadequate to addressing the deficit and debt problems facing the nation. It is contemplated that an agreement achieving significant deficit reduction and long-term debt reduction will reallocate the burden of the BCA automatic enforcement procedures more equitably.

TITLE V—ESTIMATES OF DIRECT SPENDING

SECTION 501. DIRECT SPENDING

Subsection (a) notes the average and estimated average rate of growth in means-tested direct spending for the 10-year periods before and after fiscal year 2014 respectively. It also proposes reforms to the means-tested category of direct spending.

Subsection (b) notes the average and estimated average rate of growth in nonmeans-tested direct spending for the 10-year periods before and after fiscal year 2014 respectively. It also proposes reforms to the nonmeans-tested category of direct spending.

This section is required under the Separate Orders of H. Res. 5 (113th Congress) which implements the Rules of the House of Representatives and is a requirement for the consideration of a concurrent resolution on the budget for the 113th Congress. See section designated 'Direct Spending Trends and Reforms' within this report for more information on Section 501.

TITLE VI—BUDGET ENFORCEMENT

SECTION 601. LIMITATION ON ADVANCE APPROPRIATIONS

Subsection (a) sets out findings.

Subsection (b) prohibits any general or continuing appropriation providing for advance appropriations that do not fall into certain specified exceptions.

Subsection (c) provides the list of excepted programs that may receive advance appropriations. Those accounts are referred to in this report in the section designated as "Accounts Identified for Advance Appropriations" within this report.

Subsection (d) specifically sets a limit on the amount of total allowable advance appropriations for fiscal year 2015. It allows advance appropriations of up to \$55.483 billion for fiscal year 2015 for Veterans Medical Services, Veterans Medical Support and Compliance, and Veterans Medical Facilities accounts of the Veterans Health Administration. Under the terms of Section 603 of the concurrent resolution, this level of spending may be revised upon the review of the budget submitted by the President required under 31 U.S.C. 1105(a).

It also allows up to \$28.852 billion for the programs referred to in subsection (c).

Subsection (e) defines advance appropriation as any new discretionary budget authority provided in a bill, joint resolution, amendment, or conference report making general or continuing appropriations for fiscal year 2015.

SECTION 602. CONCEPTS AND DEFINITIONS

This section permits the Chairman of the Committee on the Budget to adjust levels and allocations in this budget resolution upon enactment of legislation changing concepts or definitions.

SECTION 603. ADJUSTMENTS OF AGGREGATES, ALLOCATIONS AND APPROPRIATE BUDGETARY LEVELS

Subsection (a) sets out a procedure to facilitate the consideration of legislation subjecting direct spending to annual appropriations. Under current law, there are impediments to reclassifying direct spending as discretionary spending since once the direct spending is eliminated, effectively the purpose is eliminated as well.

Under current practice, if the intent is to preserve the purpose, but authorize the program and subject it to annual appropriations, the Committee on Appropriations would have to find additional resources within its section 302(a) allocation, as required to be set in the report on the budget resolution by section 301(e)(2)(F) of the Congressional Budget Act of 1974.

Under the terms of this subsection, should an authorizing committee want to retain the purpose of a direct spending program, but determines it should be subject to annual appropriations, it

can, at the time it eliminates the direct spending, authorize appropriations for the program. If that elimination of the direct spending and authorization of appropriations is enacted, the Chairman of the Committee on the Budget may increase the 302(a) allocation of budgetary resources to the Committee on Appropriations by an amount up to the authorized level of appropriations for the same purpose in fiscal year 2014.

This rule holds the Committee on Appropriations harmless if it appropriates money under the terms of that authorization because the allocation under section 302(a) set in this report is adjusted.

Subsection (b)(1) sets out findings related to the statutory requirement that the President submit an annual budget by the first Monday in February of each year.

Subsection (b)(2) provides authority to the Chairman of the Committee on the Budget to adjust the allocations, aggregates, and other appropriate budgetary levels as necessary once the President's budget request has been submitted to Congress as is required under section 1105(a) of Title 31 of the United States Code.

The limitation on advance appropriations for veterans medical care in section 601(d)(1) of this concurrent resolution is based on information provided in the President's budget submitted in February 2012 and is for the fiscal year that begins in October of 2014. The Chairman of the Committee on the Budget is authorized by this section to update this limit on advance appropriations.

The level of funding for Overseas Contingency Operations/Global War on Terrorism is an estimate based on indications by the President pursuant to that purpose. This section authorizes the Chairman of the Committee on the Budget to adjust the relevant aggregates, allocations, and budgetary levels in this resolution to ensure that commitment is fulfilled.

The levels included in this concurrent resolution on the budget reflect the total level of discretionary budget authority, prior to any authorized adjustments, provided for in the spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as adjusted under section 251A of that Act). The discretionary spending limits for fiscal year 2014 will be set in the fiscal year 2014 Sequester Preview Report, which was supposed to have been submitted together with the President's budget on February 4, 2013.

In the absence of this preview report for the fiscal year 2014 discretionary spending category limits, this resolution uses estimates provided by the Director of the Congressional Budget Office.

This section authorizes the Chairman of the Committee on the Budget to adjust the allocation to the Appropriations Committee provided to it under section 302(a) of the Congressional Budget Act to reflect the preview report that will be included in the fiscal year 2014 President's budget submission.

Subsection (b)(3) authorizes the Chairman of the Committee on the Budget to adjust levels and allocations in this concurrent resolution on the budget to reflect technical and economic assumptions in the most recent baseline published by the Congressional Budget Office.

Subsection (c) authorizes the Chairman of the Committee on the Budget to determine the levels and adjustments provided for in this concurrent resolution on the budget.

SECTION 604. LIMITATION ON LONG-TERM SPENDING

Subsection (a) establishes a point of order against the consideration of measures increasing direct spending by \$5 billion or more for any 10-year period within 40 years starting in fiscal year 2024.

Subsection (b) explains that there are four consecutive ten-year periods as referred to in subsection (a) that would be as follows:

- Fiscal years 2024 through 2033;
- Fiscal years 2034 through 2043;
- Fiscal years 2044 through 2053;
- Fiscal years 2054 through 2063.

SECTION 605. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS

Subsection (a) provides that the administrative expenses of the Social Security Administration and the United States Postal Service are reflected in the allocation to the Committee on Appropriations. This language is necessary to ensure that the Committee on Appropriations retains control of administrative expenses through the annual appropriations process.

Subsection (b) provides for a special rule stating the allocation to the Committee on Appropriations of the House is enforced under the Congressional Budget Act of 1974 using estimates of the budgetary effects of a measure and includes any off-budget discretionary amounts.

Subsection (c) allows the Chairman of the Committee on the Budget to adjust the spending or revenue levels of this concurrent resolution for legislation, if reported by the Committee on Oversight and Government Reform, to reform the Federal retirement system. The Chairman is permitted to make adjustments only if a measure would not cause an increase in the deficit in fiscal year 2014 and fiscal years 2014 through 2023.

SECTION 606. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES

Subsection (a) details the allocation and aggregate adjustment procedures required to accommodate legislation provided for in this resolution. It provides that the adjustments apply while the legislation is under consideration and take effect upon enactment of the legislation. In addition, this subsection requires the adjustments to be printed in the Congressional Record.

Subsection (b) requires, for purposes of enforcement of the concurrent resolution, aggregate and allocation levels resulting from adjustments made pursuant to the terms of this resolution have the same effect as if adopted in the originally adopted aggregates and allocations.

Subsection (c) provides an exemption for legislation for which the Chairman of the Committee on the Budget has made adjustments in the allocations, aggregates, and other appropriate budgetary levels of the resolution and that complies with this Concurrent Resolution on the Budget. By such an exemption, such legislation is subject to neither the Cut-As-You-Go point of order (clause 10 of rule XXI of the Rules of the House of Representatives) nor section

604 of the concurrent resolution on the budget (the long-term spending point of order).

In addition, this subsection (c)(2) provides that section 314(f) of the Congressional Budget Act of 1974 does not apply to any bill, joint resolution, amendment, or conference report that provides new budget authority for a fiscal year that does not cause the allocation of new budget authority made pursuant to section 302(a) of that Act for that fiscal year to be exceeded or the sum of the limits on the security and non-security category in the Balanced Budget and Emergency Deficit Control Act as reduced pursuant to section 251A of that Act.

Section 314(f) prohibits the consideration of measures that would cause either of the two statutory spending category limits, security or nonsecurity, to be breached for a fiscal year. The 302(a) allocation for the House Appropriations Committee, provided by the concurrent resolution under the requirements of the Budget Act, is the sum of these two categories. Though the section refers to the sum of the categories, the effect of paragraph (2) of subsection (c), the operative component is the test as to whether the Appropriations Committee is within its 302(a) allocation—if so, the 314(f) point of order will not apply even if one of the category limits, either security or nonsecurity, is exceeded by that measure.

SECTION 607. CONGRESSIONAL BUDGET OFFICE ESTIMATES

Subsection (a) sets out findings.

Subsection (b) provides specific authority for the Chairman or Ranking Member of the Committee on the Budget to request a supplemental estimate for any program affecting or establishing Federal loans or loan guarantees. Under current law, such a measure would be scored on a “net present value” basis under the terms of the Federal Credit Reform Act found in Title V of the Congressional Budget Act of 1974. The supplemental estimate would be scored using a “fair value” basis that generally incorporates a more realistic market risk factor.

Subsection (c) requires that, whenever the Congressional Budget Office prepares an estimate of the cost of legislation with a cost related to a housing or residential mortgage program under the Federal Credit Reform Act of 1990, the Director must also provide an estimate of the “fair value” of the assets and liabilities affected.

Subsection (d) allows the Chairman of the Committee on the Budget to use the supplemental estimates to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

SECTION 608. TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS

This section provides that for purposes of budget enforcement, transfers of funds from the general fund of the Treasury to the Highway Trust Fund are to be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SECTION 609. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

Subsection (a) provides for a separate section 302(a) allocation under the Congressional Budget Act of 1974, and is set out in this report in allocation tables, to the Committee on Appropriations for overseas contingency operations and the global war on terrorism (OCO/GWOT). For purposes of enforcing the point of order set out in section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” refer to fiscal year 2014 only. This separate allocation is the exclusive allocation for OCO/GWOT under section 302(a).

It states that any provision designated as such under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 which raises the statutory spending limits by the amount designated will be counted toward the separate OCO/GWOT allocation and not to the general section 302(a) allocation.

Subsection (b) provides that the procedure of adjusting the general 302(a) allocation under section 314 of the Budget Act for this purpose does not apply, as it is unnecessary with the special allocation.

SECTION 610. EXERCISE OF RULEMAKING POWERS

This section provides for the general application of the text of this concurrent resolution on the budget.

TITLE VII—POLICY STATEMENTS

SECTION 701. POLICY STATEMENT ON ECONOMIC GROWTH AND JOB CREATION

Subsection (a) sets out findings.

Subsection (b) states the policy on promoting economic growth and job creation assumed by this concurrent resolution on the budget.

SECTION 702. POLICY STATEMENT ON TAX REFORM

Subsection (a) sets out findings.

Subsection (b) states the policy on tax reform assumed by this concurrent resolution on the budget.

SECTION 703. POLICY STATEMENT ON MEDICARE

Subsection (a) sets out findings.

Subsection (b) states that the policy of this concurrent resolution on the budget is to protect those in or near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

Subsection (c) sets out the assumptions of this concurrent resolution on the budget for the parameters of future Medicare reforms.

SECTION 704. POLICY STATEMENT ON SOCIAL SECURITY

Subsection (a) sets out findings.

Subsection (b) states the policy on Social Security assumed by this concurrent resolution on the budget.

SECTION 705. POLICY STATEMENT ON HIGHER EDUCATION AFFORDABILITY

Subsection (a) sets out findings.

Subsection (b) states the policy on higher education affordability assumed by this concurrent resolution on the budget.

SECTION 706. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES

Subsection (a) sets out findings.

Subsection (b) directs congressional committees through their oversight activities to identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Federal Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

Subsection (c) provides that Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

While there is year-to-year variability, unobligated balances have generally been trending upwards over the past ten years, from \$253 billion at the end of fiscal year 2000 to \$725 billion at the end of fiscal year 2011. According to the Office of Management and Budget, federal agencies will have an estimated \$698 billion in unobligated balances at the close of fiscal year 2014, though agencies tend to overestimate their rate of obligations. Legislation introduced by Dr. Tom Price of Georgia (H.R.828) would rescind \$45 billion in unobligated discretionary funds within 60 days of enactment. CBO has informally estimated that such a measure could reduce spending by approximately \$22 billion.

The large sums of unobligated balances indicate that there are major opportunities for savings to reduce the deficit. Additional investigation is necessary to determine what portion of these anticipated unobligated balances can be cancelled or rescinded for deficit reduction without abrogating the Federal Government's contractual obligations or reducing or disrupting federal commitments under high priority programs and Treasury's authority to finance the national debt.

A reasonable goal would be to reduce unobligated balances by 10 percent, excluding Departments of Defense, Treasury, Veterans Affairs, and the Social Security Administration, to achieve savings for deficit reduction.

SECTION 707. POLICY STATEMENT ON RESPONSIBLE STEWARDSHIP OF TAXPAYER DOLLARS

Subsection (a) sets out findings.

Subsection (b) states that the policy of this concurrent resolution on the budget is to identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources.

SECTION 708. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING

Subsection (a) sets out findings.

Subsection (b) states that each Congressional Committee shall as part of its annual Views and Estimates letter to the Committee on the Budget submit recommendations for reductions in spending that result from that committee's oversight activities.

SECTION 709. POLICY STATEMENT ON UNAUTHORIZED SPENDING

This section states that the committees of jurisdiction should review all unauthorized programs funded through annual appropriations to determine if the programs are operating efficiently and effectively and reauthorize only those programs that in the committees' judgment should continue to receive funding.

**TITLE VIII—SENSE OF THE HOUSE
PROVISIONS****SECTION 801. SENSE OF THE HOUSE ON THE IMPORTANCE OF CHILD
SUPPORT ENFORCEMENT**

This section expresses the sense of the House that additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty.

It also expresses the sense that when 100 percent of child support payments are passed to the child, rather than spent on administrative expenses, program integrity is improved and child support participation increases.

S. CON. RES. 8

CONCURRENT RESOLUTION

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2014.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2014 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 and 2015 through 2023.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2014.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social Security.
- Sec. 103. Postal Service discretionary administrative expenses.
- Sec. 104. Major functional categories.

TITLE II—RECONCILIATION

- Sec. 201. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

- Sec. 301. Deficit-neutral reserve fund to replace sequestration.
- Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.
- Sec. 303. Deficit-neutral reserve funds to assist working families and children.
- Sec. 304. Deficit-neutral reserve funds for early childhood education.
- Sec. 305. Deficit-neutral reserve fund for tax relief.
- Sec. 306. Reserve fund for tax reform.
- Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
- Sec. 308. Deficit-neutral reserve fund for investments in America's infrastructure.
- Sec. 309. Deficit-neutral reserve fund for America's servicemembers and veterans.
- Sec. 310. Deficit-neutral reserve fund for higher education.
- Sec. 311. Deficit-neutral reserve funds for health care.
- Sec. 312. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
- Sec. 313. Deficit-neutral reserve fund for a farm bill.
- Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.
- Sec. 315. Deficit-neutral reserve fund for pension reform.
- Sec. 316. Deficit-neutral reserve fund for housing finance reform.
- Sec. 317. Deficit-neutral reserve fund for national security.
- Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.
- Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.
- Sec. 320. Deficit-neutral reserve fund for postal reform.
- Sec. 321. Deficit-reduction reserve fund for Government reform and efficiency.
- Sec. 322. Deficit-neutral reserve fund to improve Federal benefit processing.
- Sec. 323. Deficit-neutral reserve fund for legislation to improve voter registration and the voting experience in Federal elections.

- Sec. 324. Deficit-reduction reserve fund to promote corporate tax fairness.
- Sec. 325. Deficit-neutral reserve fund for improving Federal forest management.
- Sec. 326. Deficit-neutral reserve fund for financial transparency.
- Sec. 327. Deficit-neutral reserve fund to promote manufacturing in the United States.
- Sec. 328. Deficit-reduction reserve fund for report elimination or modification.
- Sec. 329. Deficit-neutral reserve fund for the minimum wage.
- Sec. 330. Deficit-neutral reserve fund to improve health outcomes and lower costs for children in Medicaid.
- Sec. 331. Deficit-neutral reserve fund to improve Federal workforce development, job training, and reemployment programs.
- Sec. 332. Deficit-neutral reserve fund for repeal of medical device tax.
- Sec. 333. Deficit-neutral reserve fund prohibiting Medicare vouchers.
- Sec. 334. Deficit-neutral reserve fund for equal pay for equal work.
- Sec. 335. Deficit-neutral reserve fund relating to women's health care.
- Sec. 336. Deficit-neutral reserve fund to require State-wide budget neutrality in the calculation of the Medicare hospital wage index floor.
- Sec. 337. Deficit-neutral reserve fund for the promotion of investment and job growth in United States manufacturing, oil and gas production, and refining sectors.
- Sec. 338. Deficit-neutral reserve fund to allow States to enforce State and local use tax laws.
- Sec. 339. Deficit-neutral reserve fund relating to the definition of full-time employee.
- Sec. 340. Deficit-neutral reserve fund relating to the labeling of genetically engineered fish.
- Sec. 341. Deficit-neutral reserve fund for the families of America's servicemembers and veterans.
- Sec. 342. Deficit-neutral reserve fund relating to establishing a biennial budget and appropriations process.
- Sec. 343. Deficit-neutral reserve fund relating to the repeal or reduction of the estate tax.
- Sec. 344. Deficit-neutral reserve fund for disabled veterans and their survivors.
- Sec. 345. Deficit reduction fund for no budget, no OMB pay.
- Sec. 346. Deficit-neutral reserve fund relating hardrock mining reform.
- Sec. 347. Deficit-neutral reserve fund to end "too big to fail" subsidies or funding advantage for wall street mega-banks (over \$500,000,000,000 in total assets).
- Sec. 348. Deficit-neutral reserve fund relating to authorizing children eligible for health care under laws administered by Secretary of Veterans Affairs to retain such eligibility until age 26.
- Sec. 349. Deficit-neutral reserve fund for State and local law enforcement.
- Sec. 350. Deficit-neutral reserve fund to establish a national network for manufacturing innovation.
- Sec. 351. Deficit-neutral reserve fund relating to ensure that any carbon emissions standards must be cost effective, based on the best available science, and benefit low-income and middle class families.
- Sec. 352. Deficit-neutral reserve fund to address the eligibility criteria for certain unlawful immigrant individuals with respect to certain health insurance plans.
- Sec. 353. Deficit-neutral reserve fund to ensure no financial institution is above the law regardless of size.
- Sec. 354. Deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss.
- Sec. 355. Deficit-neutral reserve fund to restore family health care flexibility by repealing the health savings account and flexible spending account restrictions in the health care law.
- Sec. 356. Deficit-neutral reserve fund for BARDA and the BioShield Special Reserve Fund.
- Sec. 357. Deficit-reduction reserve fund for postal reform.
- Sec. 358. Deficit-neutral reserve fund to broaden the effects of the sequester, including allowing Members of Congress to donate a portion of their salaries to charity or to the Department of the Treasury during sequestration.
- Sec. 359. Deficit-neutral reserve fund to ensure the Bureau of Land Management collaborates with western states to prevent the listing of the sage-grouse.

- Sec. 360. Deficit-Reduction Reserve Fund for Eminent Domain Abuse Prevention.
- Sec. 361. Deficit-neutral reserve fund for export promotion.
- Sec. 362. Deficit-neutral reserve fund for the prohibition on funding of the Medium Extended Air Defense System.
- Sec. 363. Deficit-neutral reserve fund to increase the capacity of agencies to ensure effective contract management and contract oversight.
- Sec. 364. Deficit-neutral reserve fund for investments in air traffic control services.
- Sec. 365. Deficit-neutral reserve fund to address prescription drug abuse in the United States.
- Sec. 366. Deficit-neutral reserve fund to support rural schools and districts.
- Sec. 367. Deficit-neutral reserve fund to strengthen enforcement of free trade agreement provisions relating to textile and apparel articles.
- Sec. 368. Deficit-neutral reserve fund to assist low-income seniors.
- Sec. 369. Reserve fund to end offshore tax abuses by large corporations.
- Sec. 370. Deficit-neutral reserve fund to ensure that domestic energy sources can meet emissions rules.
- Sec. 371. Deficit-neutral reserve fund relating to increasing funding for the inland waterways system.
- Sec. 372. Deficit-neutral reserve fund for achieving full auditability of the financial statements of the Department of Defense by 2017.
- Sec. 373. Deficit-neutral reserve fund relating to sanctions with respect to Iran.
- Sec. 374. Deficit-neutral reserve fund to prevent restrictions to public access to fishing downstream of dams owned by the Corps of Engineers.
- Sec. 375. Deficit-neutral reserve fund to address the disproportionate regulatory burdens on community banks.
- Sec. 376. Deficit-neutral reserve fund to authorize provision of per diem payments for provision of services to dependents of homeless veterans under laws administered by Secretary of Veterans Affairs.
- Sec. 377. Deficit-neutral reserve fund to support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration.
- Sec. 378. Deficit-neutral reserve fund to phase-in any changes to individual or corporate tax systems.
- Sec. 379. Deficit-neutral reserve fund relating to increases in aid for tribal education programs.
- Sec. 380. Deficit-neutral reserve fund to expedite exports from the United States.
- Sec. 381. Deficit-neutral reserve fund relating to supporting the reauthorization of the payments in lieu of taxes program at levels roughly equivalent to property tax revenues lost due to the presence of Federal land.
- Sec. 382. Deficit-neutral reserve fund to ensure that the United States will not negotiate or support treaties that violate Americans' Second Amendment rights under the Constitution of the United States.
- Sec. 383. Deficit-neutral reserve fund to increase funding for Federal investments in biomedical research.
- Sec. 384. Deficit-neutral reserve fund to uphold Second Amendment rights and prevent the United States from entering into the United Nations Arms Trade Treaty.

TITLE IV—BUDGET PROCESS

Subtitle A—Budget Enforcement

- Sec. 401. Discretionary spending limits for fiscal years 2013 and 2014, program integrity initiatives, and other adjustments.
- Sec. 402. Point of order against advance appropriations.
- Sec. 403. Adjustments for sequestration or sequestration replacement.
- Sec. 404. Senate point of order against provisions of appropriations legislation that constitute changes in mandatory programs affecting the Crime Victims Fund.
- Sec. 405. Supermajority enforcement.
- Sec. 406. Prohibiting the use of guarantee fees as an offset.

Subtitle B—Other Provisions

- Sec. 411. Oversight of Government performance.
- Sec. 412. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 413. Application and effect of changes in allocations and aggregates.
- Sec. 414. Adjustments to reflect changes in concepts and definitions.
- Sec. 415. Exercise of rulemaking powers.
- Sec. 416. Congressional budget office estimates.

TITLE V—OTHER MATTERS

- Sec. 501. To require transparent reporting on the ongoing costs to taxpayers of Obamacare.
- Sec. 502. To require fuller reporting on possible costs to taxpayers of Obamacare.
- Sec. 503. To require fuller reporting on possible costs to taxpayers of any budget submitted by the President.
- Sec. 504. Sense of Senate on underutilized facilities of the National Aeronautics and Space Administration and their potential use.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2023:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,038,311,000,000.
 Fiscal year 2014: \$2,290,932,000,000.
 Fiscal year 2015: \$2,646,592,000,000.
 Fiscal year 2016: \$2,833,891,000,000.
 Fiscal year 2017: \$2,973,673,000,000.
 Fiscal year 2018: \$3,111,061,000,000.
 Fiscal year 2019: \$3,245,117,000,000.
 Fiscal year 2020: \$3,400,144,000,000.
 Fiscal year 2021: \$3,592,212,000,000.
 Fiscal year 2022: \$3,800,500,000,000.
 Fiscal year 2023: \$3,991,775,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: \$0,000,000.
 Fiscal year 2014: \$20,000,000,000.
 Fiscal year 2015: \$40,000,000,000.
 Fiscal year 2016: \$55,000,000,000.
 Fiscal year 2017: \$70,000,000,000.
 Fiscal year 2018: \$82,110,000,000.
 Fiscal year 2019: \$95,881,000,000.
 Fiscal year 2020: \$115,534,000,000.
 Fiscal year 2021: \$135,203,000,000.
 Fiscal year 2022: \$149,801,000,000.
 Fiscal year 2023: \$159,630,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,054,195,000,000.
 Fiscal year 2014: \$2,963,749,000,000.
 Fiscal year 2015: \$3,046,506,000,000.
 Fiscal year 2016: \$3,211,506,000,000.
 Fiscal year 2017: \$3,386,445,000,000.
 Fiscal year 2018: \$3,568,528,000,000.
 Fiscal year 2019: \$3,779,446,000,000.
 Fiscal year 2020: \$3,973,331,000,000.

Fiscal year 2021: \$4,136,110,000,000.

Fiscal year 2022: \$4,350,282,000,000.

Fiscal year 2023: \$4,492,138,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$2,956,295,000,000.

Fiscal year 2014: \$2,997,884,000,000.

Fiscal year 2015: \$3,082,375,000,000.

Fiscal year 2016: \$3,240,376,000,000.

Fiscal year 2017: \$3,382,809,000,000.

Fiscal year 2018: \$3,542,197,000,000.

Fiscal year 2019: \$3,749,797,000,000.

Fiscal year 2020: \$3,926,818,000,000.

Fiscal year 2021: \$4,103,496,000,000.

Fiscal year 2022: \$4,323,224,000,000.

Fiscal year 2023: \$4,451,446,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: \$917,984,000,000.

Fiscal year 2014: \$706,952,000,000.

Fiscal year 2015: \$435,783,000,000.

Fiscal year 2016: \$406,486,000,000.

Fiscal year 2017: \$409,137,000,000.

Fiscal year 2018: \$431,136,000,000.

Fiscal year 2019: \$504,680,000,000.

Fiscal year 2020: \$526,674,000,000.

Fiscal year 2021: \$511,283,000,000.

Fiscal year 2022: \$522,724,000,000.

Fiscal year 2023: \$459,672,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,113,638,000,000.

Fiscal year 2014: \$18,008,333,000,000.

Fiscal year 2015: \$18,626,857,000,000.

Fiscal year 2016: \$19,222,298,000,000.

Fiscal year 2017: \$19,871,057,000,000.

Fiscal year 2018: \$20,558,744,000,000.

Fiscal year 2019: \$21,312,959,000,000.

Fiscal year 2020: \$22,094,877,000,000.

Fiscal year 2021: \$22,863,179,000,000.

Fiscal year 2022: \$23,634,787,000,000.

Fiscal year 2023: \$24,364,925,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,274,763,000,000.

Fiscal year 2014: \$13,059,985,000,000.

Fiscal year 2015: \$13,588,003,000,000.

Fiscal year 2016: \$14,081,252,000,000.

Fiscal year 2017: \$14,574,683,000,000.

Fiscal year 2018: \$15,081,187,000,000.

Fiscal year 2019: \$15,669,625,000,000.

Fiscal year 2020: \$16,297,499,000,000.

Fiscal year 2021: \$16,929,319,000,000.
 Fiscal year 2022: \$17,600,005,000,000.
 Fiscal year 2023: \$18,229,414,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$669,920,000,000.
 Fiscal year 2014: \$731,717,000,000.
 Fiscal year 2015: \$766,392,000,000.
 Fiscal year 2016: \$812,200,000,000.
 Fiscal year 2017: \$861,554,000,000.
 Fiscal year 2018: \$908,130,000,000.
 Fiscal year 2019: \$951,691,000,000.
 Fiscal year 2020: \$994,855,000,000.
 Fiscal year 2021: \$1,038,909,000,000.
 Fiscal year 2022: \$1,083,586,000,000.
 Fiscal year 2023: \$1,129,163,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$634,822,000,000.
 Fiscal year 2014: \$711,355,000,000.
 Fiscal year 2015: \$756,949,000,000.
 Fiscal year 2016: \$805,969,000,000.
 Fiscal year 2017: \$856,933,000,000.
 Fiscal year 2018: \$907,679,000,000.
 Fiscal year 2019: \$962,040,000,000.
 Fiscal year 2020: \$1,022,374,000,000.
 Fiscal year 2021: \$1,086,431,000,000.
 Fiscal year 2022: \$1,154,554,000,000.
 Fiscal year 2023: \$1,227,009,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2013:
 (A) New budget authority, \$5,643,000,000.
 (B) Outlays, \$5,658,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$5,782,000,000.
 (B) Outlays, \$5,801,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,966,000,000.
 (B) Outlays, \$5,941,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$6,174,000,000.
 (B) Outlays, \$6,144,000,000.
 Fiscal year 2017:

- (A) New budget authority, \$6,390,000,000.
- (B) Outlays, \$6,358,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$6,617,000,000.
 - (B) Outlays, \$6,584,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$6,844,000,000.
 - (B) Outlays, \$6,810,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$7,070,000,000.
 - (B) Outlays, \$7,036,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$7,301,000,000.
 - (B) Outlays, \$7,266,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$7,541,000,000.
 - (B) Outlays, \$7,505,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$7,789,000,000.
 - (B) Outlays, \$7,751,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

- Fiscal year 2013:
 - (A) New budget authority, \$255,000,000.
 - (B) Outlays, \$255,000,000.
- Fiscal year 2014:
 - (A) New budget authority, \$262,000,000.
 - (B) Outlays, \$262,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$272,000,000.
 - (B) Outlays, \$272,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$284,000,000.
 - (B) Outlays, \$283,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$295,000,000.
 - (B) Outlays, \$294,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$308,000,000.
 - (B) Outlays, \$307,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$319,000,000.
 - (B) Outlays, \$318,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$332,000,000.
 - (B) Outlays, \$331,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$345,000,000.
 - (B) Outlays, \$344,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$357,000,000.

(B) Outlays, \$356,000,000.

Fiscal year 2023:

(A) New budget authority, \$371,000,000.

(B) Outlays, \$370,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2023 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:

(A) New budget authority, \$648,215,000,000.

(B) Outlays, \$658,250,000,000.

Fiscal year 2014:

(A) New budget authority, \$560,243,000,000.

(B) Outlays, \$599,643,000,000.

Fiscal year 2015:

(A) New budget authority, \$567,553,000,000.

(B) Outlays, \$575,701,000,000.

Fiscal year 2016:

(A) New budget authority, \$575,019,000,000.

(B) Outlays, \$575,203,000,000.

Fiscal year 2017:

(A) New budget authority, \$582,648,000,000.

(B) Outlays, \$573,557,000,000.

Fiscal year 2018:

(A) New budget authority, \$590,411,000,000.

(B) Outlays, \$574,884,000,000.

Fiscal year 2019:

(A) New budget authority, \$598,867,000,000.

(B) Outlays, \$587,226,000,000.

Fiscal year 2020:

(A) New budget authority, \$607,454,000,000.

(B) Outlays, \$595,192,000,000.

Fiscal year 2021:

(A) New budget authority, \$616,137,000,000.

(B) Outlays, \$603,369,000,000.

Fiscal year 2022:

(A) New budget authority, \$625,569,000,000.

(B) Outlays, \$617,186,000,000.

Fiscal year 2023:

(A) New budget authority, \$636,480,000,000.

(B) Outlays, \$621,603,000,000.

(2) International Affairs (150):

Fiscal year 2013:

(A) New budget authority, \$58,425,000,000.

(B) Outlays, \$48,716,000,000.

Fiscal year 2014:

(A) New budget authority, \$47,883,000,000.

(B) Outlays, \$47,508,000,000.

Fiscal year 2015:

(A) New budget authority, \$46,367,000,000.

(B) Outlays, \$46,830,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,521,000,000.

- (B) Outlays, \$46,580,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$48,666,000,000.
 - (B) Outlays, \$46,792,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$49,831,000,000.
 - (B) Outlays, \$47,157,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$51,004,000,000.
 - (B) Outlays, \$47,707,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$52,194,000,000.
 - (B) Outlays, \$48,729,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$52,898,000,000.
 - (B) Outlays, \$49,801,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$54,417,000,000.
 - (B) Outlays, \$51,209,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$55,664,000,000.
 - (B) Outlays, \$52,212,000,000.
- (3) General Science, Space, and Technology (250):
 - Fiscal year 2013:
 - (A) New budget authority, \$29,154,000,000.
 - (B) Outlays, \$28,949,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$29,700,000,000.
 - (B) Outlays, \$29,426,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$30,301,000,000.
 - (B) Outlays, \$30,022,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$31,019,000,000.
 - (B) Outlays, \$30,553,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$31,749,000,000.
 - (B) Outlays, \$31,229,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$32,508,000,000.
 - (B) Outlays, \$31,962,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$33,264,000,000.
 - (B) Outlays, \$32,655,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$34,030,000,000.
 - (B) Outlays, \$33,408,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$34,795,000,000.
 - (B) Outlays, \$34,073,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$35,590,000,000.
 - (B) Outlays, \$34,851,000,000.
 - Fiscal year 2023:

- (A) New budget authority, \$36,396,000,000.
- (B) Outlays, \$35,643,000,000.
- (4) Energy (270):
 - Fiscal year 2013:
 - (A) New budget authority, \$6,243,000,000.
 - (B) Outlays, \$9,122,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$4,465,000,000.
 - (B) Outlays, \$5,270,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$4,061,000,000.
 - (B) Outlays, \$4,078,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$4,185,000,000.
 - (B) Outlays, \$3,563,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$4,309,000,000.
 - (B) Outlays, \$3,822,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$4,489,000,000.
 - (B) Outlays, \$4,105,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$4,622,000,000.
 - (B) Outlays, \$4,316,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$4,803,000,000.
 - (B) Outlays, \$4,538,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$4,875,000,000.
 - (B) Outlays, \$4,696,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$5,000,000,000.
 - (B) Outlays, \$4,862,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$5,072,000,000.
 - (B) Outlays, \$4,913,000,000.
- (5) Natural Resources and Environment (300):
 - Fiscal year 2013:
 - (A) New budget authority, \$44,150,000,000.
 - (B) Outlays, \$41,682,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$43,019,000,000.
 - (B) Outlays, \$43,121,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$42,872,000,000.
 - (B) Outlays, \$43,165,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$44,055,000,000.
 - (B) Outlays, \$44,394,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$45,500,000,000.
 - (B) Outlays, \$45,681,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$47,245,000,000.

- (B) Outlays, \$47,014,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$48,036,000,000.
 - (B) Outlays, \$48,112,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$49,596,000,000.
 - (B) Outlays, \$49,435,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$50,174,000,000.
 - (B) Outlays, \$50,074,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$51,331,000,000.
 - (B) Outlays, \$50,862,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$52,759,000,000.
 - (B) Outlays, \$51,703,000,000.
- (6) Agriculture (350):
 - Fiscal year 2013:
 - (A) New budget authority, \$22,373,000,000.
 - (B) Outlays, \$28,777,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$22,550,000,000.
 - (B) Outlays, \$21,136,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$20,180,000,000.
 - (B) Outlays, \$19,909,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$19,717,000,000.
 - (B) Outlays, \$19,283,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,780,000,000.
 - (B) Outlays, \$19,289,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$19,613,000,000.
 - (B) Outlays, \$19,087,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$19,908,000,000.
 - (B) Outlays, \$19,301,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$20,379,000,000.
 - (B) Outlays, \$19,878,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$20,588,000,000.
 - (B) Outlays, \$20,116,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$21,105,000,000.
 - (B) Outlays, \$20,626,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$21,421,000,000.
 - (B) Outlays, \$20,959,000,000.
- (7) Commerce and Housing Credit (370):
 - Fiscal year 2013:
 - (A) New budget authority, \$ - 30,498,000,000.
 - (B) Outlays, \$ - 24,504,000,000.

- Fiscal year 2014:
 (A) New budget authority, \$16,201,000,000.
 (B) Outlays, \$4,408,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$10,733,000,000.
 (B) Outlays, \$ - 2,394,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$11,112,000,000.
 (B) Outlays, \$ - 4,110,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$11,827,000,000.
 (B) Outlays, \$ - 5,624,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$14,224,000,000.
 (B) Outlays, \$ - 3,938,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$16,885,000,000.
 (B) Outlays, \$ - 6,483,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$16,984,000,000.
 (B) Outlays, \$ - 6,238,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$17,099,000,000.
 (B) Outlays, \$ - 981,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$17,226,000,000.
 (B) Outlays, \$ - 2,004,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$17,334,000,000.
 (B) Outlays, \$ - 3,032,000,000.
- (8) Transportation (400):
- Fiscal year 2013:
 (A) New budget authority, \$100,501,000,000.
 (B) Outlays, \$93,656,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$88,556,000,000.
 (B) Outlays, \$94,621,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$88,419,000,000.
 (B) Outlays, \$95,092,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$89,319,000,000.
 (B) Outlays, \$95,855,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$90,186,000,000.
 (B) Outlays, \$96,577,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$91,115,000,000.
 (B) Outlays, \$96,478,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$91,977,000,000.
 (B) Outlays, \$97,757,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$93,143,000,000.

- (B) Outlays, \$99,308,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$94,330,000,000.
 - (B) Outlays, \$101,593,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$95,586,000,000.
 - (B) Outlays, \$103,395,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$96,864,000,000.
 - (B) Outlays, \$105,364,000,000.
- (9) Community and Regional Development (450):
 - Fiscal year 2013:
 - (A) New budget authority, \$51,911,000,000.
 - (B) Outlays, \$38,409,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$24,995,500,000.
 - (B) Outlays, \$29,779,500,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$25,362,000,000.
 - (B) Outlays, \$31,033,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$25,808,000,000.
 - (B) Outlays, \$29,233,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$26,360,000,000.
 - (B) Outlays, \$29,216,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$26,442,000,000.
 - (B) Outlays, \$27,660,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$26,610,000,000.
 - (B) Outlays, \$26,831,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$27,212,000,000.
 - (B) Outlays, \$26,873,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$27,828,000,000.
 - (B) Outlays, \$27,154,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$28,461,000,000.
 - (B) Outlays, \$27,487,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$29,098,000,000.
 - (B) Outlays, \$27,953,000,000.
- (10) Education, Training, Employment, and Social Services (500):
 - Fiscal year 2013:
 - (A) New budget authority, \$77,536,000,000.
 - (B) Outlays, \$82,279,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$78,349,000,000.
 - (B) Outlays, \$86,546,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$89,537,000,000.

- (B) Outlays, \$96,269,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$106,927,000,000.
 (B) Outlays, \$98,922,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$117,961,000,000.
 (B) Outlays, \$111,494,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$123,744,000,000.
 (B) Outlays, \$122,679,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$119,139,000,000.
 (B) Outlays, \$117,997,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$120,411,000,000.
 (B) Outlays, \$119,806,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$122,546,000,000.
 (B) Outlays, \$121,459,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$124,565,000,000.
 (B) Outlays, \$123,422,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$126,825,000,000.
 (B) Outlays, \$125,845,000,000.
- (11) Health (550):
 Fiscal year 2013:
 (A) New budget authority, \$365,206,000,000.
 (B) Outlays, \$361,960,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$420,326,000,000.
 (B) Outlays, \$415,573,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$500,356,000,000.
 (B) Outlays, \$493,639,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$554,680,000,000.
 (B) Outlays, \$560,173,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$611,908,000,000.
 (B) Outlays, \$614,248,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$648,773,000,000.
 (B) Outlays, \$648,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$685,879,000,000.
 (B) Outlays, \$684,985,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$732,529,000,000.
 (B) Outlays, \$721,193,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$764,934,000,000.
 (B) Outlays, \$763,469,000,000.
 Fiscal year 2022:

- (A) New budget authority, \$808,026,000,000.
- (B) Outlays, \$806,172,000,000.
- Fiscal year 2023:
- (A) New budget authority, \$852,829,000,000.
- (B) Outlays, \$851,028,000,000.
- (12) Medicare (570):
- Fiscal year 2013:
- (A) New budget authority, \$511,692,000,000.
- (B) Outlays, \$511,240,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$535,596,000,000.
- (B) Outlays, \$535,067,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$540,503,000,000.
- (B) Outlays, \$540,205,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$586,873,000,000.
- (B) Outlays, \$586,662,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$602,495,000,000.
- (B) Outlays, \$602,085,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$626,619,000,000.
- (B) Outlays, \$626,319,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$687,071,000,000.
- (B) Outlays, \$686,851,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$734,468,000,000.
- (B) Outlays, \$734,051,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$782,452,000,000.
- (B) Outlays, \$782,386,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$855,410,000,000.
- (B) Outlays, \$855,061,000,000.
- Fiscal year 2023:
- (A) New budget authority, \$883,491,000,000.
- (B) Outlays, \$883,062,000,000.
- (13) Income Security (600):
- Fiscal year 2013:
- (A) New budget authority, \$544,094,000,000.
- (B) Outlays, \$542,998,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$530,103,000,000.
- (B) Outlays, \$526,954,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$528,197,000,000.
- (B) Outlays, \$524,043,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$537,117,000,000.
- (B) Outlays, \$536,196,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$536,006,000,000.

- (B) Outlays, \$531,153,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$538,914,000,000.
 - (B) Outlays, \$529,716,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$565,188,000,000.
 - (B) Outlays, \$560,677,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$578,159,000,000.
 - (B) Outlays, \$573,775,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$592,348,000,000.
 - (B) Outlays, \$587,965,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$611,644,000,000.
 - (B) Outlays, \$612,070,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$619,422,000,000.
 - (B) Outlays, \$614,921,000,000.
- (14) Social Security (650):
 - Fiscal year 2013:
 - (A) New budget authority, \$52,803,000,000.
 - (B) Outlays, \$52,883,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$27,506,000,000.
 - (B) Outlays, \$27,616,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$30,233,000,000.
 - (B) Outlays, \$30,308,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$33,369,000,000.
 - (B) Outlays, \$33,407,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$36,691,000,000.
 - (B) Outlays, \$36,691,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$40,005,000,000.
 - (B) Outlays, \$40,005,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$43,421,000,000.
 - (B) Outlays, \$43,421,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$46,954,000,000.
 - (B) Outlays, \$46,954,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$50,474,000,000.
 - (B) Outlays, \$50,474,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$54,235,000,000.
 - (B) Outlays, \$54,235,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$58,441,000,000.
 - (B) Outlays, \$58,441,000,000.
- (15) Veterans Benefits and Services (700):

- Fiscal year 2013:
 (A) New budget authority, \$140,646,000,000.
 (B) Outlays, \$138,860,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$145,488,000,000.
 (B) Outlays, \$145,254,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$150,218,000,000.
 (B) Outlays, \$149,672,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$162,493,000,000.
 (B) Outlays, \$161,876,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$161,405,000,000.
 (B) Outlays, \$160,549,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$159,902,000,000.
 (B) Outlays, \$159,031,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$171,529,000,000.
 (B) Outlays, \$170,622,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$176,188,000,000.
 (B) Outlays, \$175,286,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$180,118,000,000.
 (B) Outlays, \$179,169,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$191,846,000,000.
 (B) Outlays, \$190,875,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$188,517,000,000.
 (B) Outlays, \$187,433,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2013:
 (A) New budget authority, \$53,094,000,000.
 (B) Outlays, \$57,120,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$66,526,000,000.
 (B) Outlays, \$55,445,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$56,476,000,000.
 (B) Outlays, \$57,912,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$59,937,000,000.
 (B) Outlays, \$62,665,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$59,940,000,000.
 (B) Outlays, \$65,090,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$61,751,000,000.
 (B) Outlays, \$63,405,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$63,708,000,000.

- (B) Outlays, \$63,959,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$65,672,000,000.
 - (B) Outlays, \$65,153,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$67,840,000,000.
 - (B) Outlays, \$67,246,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$70,695,000,000.
 - (B) Outlays, \$70,066,000,000.
- Fiscal year 2023:
 - (A) New budget authority, \$76,218,000,000.
 - (B) Outlays, \$75,564,000,000.
- (17) General Government (800):
 - Fiscal year 2013:
 - (A) New budget authority, \$24,000,000,000.
 - (B) Outlays, \$27,263,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$23,616,000,000.
 - (B) Outlays, \$24,527,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$24,258,000,000.
 - (B) Outlays, \$24,540,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$24,995,000,000.
 - (B) Outlays, \$24,616,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$25,640,000,000.
 - (B) Outlays, \$25,247,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$26,497,000,000.
 - (B) Outlays, \$26,039,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$27,377,000,000.
 - (B) Outlays, \$26,724,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$28,210,000,000.
 - (B) Outlays, \$27,520,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$29,089,000,000.
 - (B) Outlays, \$28,437,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$29,996,000,000.
 - (B) Outlays, \$29,353,000,000.
 - Fiscal year 2023:
 - (A) New budget authority, \$30,900,000,000.
 - (B) Outlays, \$30,304,000,000.
- (18) Net Interest (900):
 - Fiscal year 2013:
 - (A) New budget authority, \$331,271,000,000.
 - (B) Outlays, \$331,271,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$342,703,000,000.
 - (B) Outlays, \$342,703,000,000.

- Fiscal year 2015:
 (A) New budget authority, \$370,274,000,000.
 (B) Outlays, \$370,274,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$419,485,000,000.
 (B) Outlays, \$419,485,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$506,103,000,000.
 (B) Outlays, \$506,103,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$608,623,000,000.
 (B) Outlays, \$608,623,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$683,623,000,000.
 (B) Outlays, \$683,623,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$752,067,000,000.
 (B) Outlays, \$752,067,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$806,870,000,000.
 (B) Outlays, \$806,870,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$859,077,000,000.
 (B) Outlays, \$859,077,000,000.
- Fiscal year 2023:
 (A) New budget authority, \$905,971,000,000.
 (B) Outlays, \$905,971,000,000.
- (19) Allowances (920):
- Fiscal year 2013:
 (A) New budget authority, \$99,868,000,000.
 (B) Outlays, \$3,853,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$31,869,500,000.
 (B) Outlays, \$39,233,500,000.
- Fiscal year 2015:
 (A) New budget authority, \$1,469,000,000.
 (B) Outlays, \$32,941,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$ - 35,734,000,000.
 (B) Outlays, \$2,211,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$ - 42,592,000,000.
 (B) Outlays, \$ - 20,253,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$ - 51,675,000,000.
 (B) Outlays, \$ - 36,471,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$ - 61,088,000,000.
 (B) Outlays, \$ - 48,910,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$ - 68,207,000,000.
 (B) Outlays, \$ - 61,194,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$ - 76,108,000,000.

- (B) Outlays, \$ – 70,697,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$ – 84,378,000,000.
 (B) Outlays, \$ – 80,463,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$ – 92,680,000,000.
 (B) Outlays, \$ – 89,556,000,000.
- (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, \$ – 76,489,000,000.
 (B) Outlays, \$ – 76,489,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$ – 75,946,000,000.
 (B) Outlays, \$ – 75,946,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$ – 80,864,000,000.
 (B) Outlays, \$ – 80,864,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$ – 86,391,000,000.
 (B) Outlays, \$ – 86,391,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$ – 90,137,000,000.
 (B) Outlays, \$ – 90,137,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$ – 90,503,000,000.
 (B) Outlays, \$ – 90,503,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$ – 97,574,000,000.
 (B) Outlays, \$ – 97,574,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$ – 98,916,000,000.
 (B) Outlays, \$ – 98,916,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$ – 103,177,000,000.
 (B) Outlays, \$ – 103,177,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$ – 105,117,000,000.
 (B) Outlays, \$ – 105,117,000,000.
 Fiscal year 2023:
 (A) New budget authority, \$ – 108,885,000,000.
 (B) Outlays, \$ – 108,885,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE SENATE.

Not later than October 1, 2013, the Committee on Finance of the Senate shall report changes in laws, bills, or resolutions within its jurisdiction to increase the total level of revenues by \$975,000,000,000 for the period of fiscal years 2013 through 2023.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) or section 901(e) of the American Taxpayer Relief Act of 2012 (Public Law 112–240) to repeal or revise the enforcement procedures established under those sections, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2013 through 2023. For purposes of determining deficit-neutrality under this section, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

SEC. 302. DEFICIT-NEUTRAL RESERVE FUNDS TO PROMOTE EMPLOYMENT AND JOB GROWTH.

(a) EMPLOYMENT AND JOB GROWTH.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employment and job growth, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) SMALL BUSINESS ASSISTANCE.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) UNEMPLOYMENT RELIEF.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide assistance to the unemployed, or improve the unemployment compensation program, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) **TRADE AND INTERNATIONAL AGREEMENTS.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to trade, including Trade Adjustment Assistance programs, trade enforcement, (including requiring timely and time-limited investigations into the evasion of antidumping and countervailing duties), or international agreements for economic assistance, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUNDS TO ASSIST WORKING FAMILIES AND CHILDREN.

(a) **INCOME SUPPORT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the Social Services Block Grant (SSBG), the Temporary Assistance for Needy Families (TANF) program, child support enforcement programs, or other assistance to working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **HOUSING ASSISTANCE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to housing assistance, which may include working family rental assistance, or assistance provided through the Housing Trust Fund, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **CHILD WELFARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child welfare programs, which may include the Federal foster care payment system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUNDS FOR EARLY CHILDHOOD EDUCATION.

(a) **PRE-KINDERGARTEN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, mo-

tions, or conference reports related to a pre-kindergarten program or programs to serve low-income children, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **CHILD CARE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to child care assistance for working families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HOME VISITING.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to a home visiting program or programs serving low-income mothers-to-be and low-income families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR TAX RELIEF.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide tax relief, including extensions of expiring tax relief or refundable tax relief, relief that supports innovation by United States enterprises, relief for low and middle income families or relief that expands the ability of startup companies to benefit from the credit for research and experimentation expenses, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 306. RESERVE FUND FOR TAX REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reform the Internal Revenue Code of 1986 to ensure a sustainable revenue base that leads to a fairer, more progressive, and more efficient tax system than currently exists, and to a more competitive business environment for United States enterprises, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) the reduction of our Nation’s dependence on imported energy and the investment of receipts from domestic energy production;

(2) energy conservation and renewable energy development, or new or existing approaches to clean energy financing;

(3) the Low-Income Home Energy Assistance Program;

(4) low-income weatherization and energy efficiency retrofit programs;

(5) Federal programs for land and water conservation and acquisition;

(6) greenhouse gas emissions levels;

(7) the preservation, restoration, or protection of the Nation’s public lands, oceans, coastal areas, or aquatic ecosystems;

(8) agreements between the United States and jurisdictions of the former Trust Territory;

(9) wildland fire management activities;

(10) the restructure of the nuclear waste program; or

(11) to provide assistance for fishery disasters declared by the Secretary of Commerce during 2012; by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA’S INFRASTRUCTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for Federal investment in the infrastructure of the United States, which may include projects for transportation, housing, energy, water, telecommunications, including promoting investments in broadband infrastructure to expedite deployment of broadband to rural areas, or financing through tax credit bonds, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA’S SERVICEMEMBERS AND VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to—

(1) eligibility for both military retired pay and veterans' disability compensation (concurrent receipt);

(2) the reduction or elimination of the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation;

(3) the improvement of disability benefits or the process of evaluating and adjudicating benefit claims for members of the Armed Forces or veterans;

(4) the infrastructure needs of the Department of Veterans Affairs, including constructing or leasing space, to include leases of major medical facilities, and maintenance of Department facilities;

(5) supporting the transition of servicemembers to the civilian workforce, including by expanding or improving education, job training, and workforce development benefits, or other programs for servicemembers or veterans, which may include streamlining the process associated with Federal and State credentialing requirements; or

(6) supporting additional efforts to increase access to health care for veterans in rural areas through telehealth and other programs that reduce the need for such veterans to travel long distances to a medical facility of the Department of Veterans Affairs;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make higher education more accessible and affordable, which may include legislation to increase college enrollment and completion rates for low-income students, standardize financial aid award letters, or promote college savings, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUNDS FOR HEALTH CARE.

(a) **PHYSICIAN REIMBURSEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase payments made under, or permanently reform or replace, the Medicare Sustainable Growth Rate (SGR) formula, by the amounts provided in such legislation for those purposes, provided that the provisions in such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **EXTENSION OF EXPIRING HEALTH CARE POLICIES.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that extend expiring Medicare, Medicaid, or other health provisions, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **HEALTH CARE IMPROVEMENT.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote improvements to health care delivery systems, which may include changes that increase care quality, encourage efficiency, focus on chronic illness, or improve care coordination, improve overall population health, promote health equity or reduce health disparities, and that improve the fiscal sustainability of health care spending over the long term, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(d) **THERAPY CAPS.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that protect access to outpatient therapy services (including physical therapy, occupational therapy, and speech-language pathology services) through measures such as repealing or increasing the current outpatient therapy caps, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(e) **DRUG SAFETY.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to drug safety, which may include legislation that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference

reports that make changes to or provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106–393) or make changes to chapter 69 of title 31, United States Code (commonly known as the “Payments in Lieu of Taxes Act of 1976”), or both, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 313. DEFICIT-NEUTRAL RESERVE FUND FOR A FARM BILL.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651) or prior Acts, authorize similar or related programs, provide for revenue changes, or any combination of the purposes under this section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 314. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN WATER INFRASTRUCTURE AND RESOURCES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to water infrastructure programs or make changes to the collection and expenditure of the Harbor Maintenance Tax (subchapter A of chapter 36 of the Internal Revenue Code of 1986), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 315. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the pension system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 316. DEFICIT-NEUTRAL RESERVE FUND FOR HOUSING FINANCE REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote appropriate access to mortgage credit for indi-

viduals and families or examine the role of government in the secondary mortgage market, which may include legislation to restructure government-sponsored enterprises, or provide for mortgage refinancing opportunities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 317. DEFICIT-NEUTRAL RESERVE FUND FOR NATIONAL SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support Department of Defense auditability and acquisition reform efforts, which may include legislation that limits the use of incremental funding, or that promotes affordability or appropriate contract choice, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 318. DEFICIT-NEUTRAL RESERVE FUND FOR OVERSEAS CONTINGENCY OPERATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the support of Overseas Contingency Operations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 319. DEFICIT-NEUTRAL RESERVE FUND FOR TERRORISM RISK INSURANCE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Terrorism Risk Insurance Act (Public Law 107-297; 116 Stat. 2322), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 320. DEFICIT-NEUTRAL RESERVE FUND FOR POSTAL REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to strengthen and reform the United States Postal Service, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over ei-

ther the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 321. DEFICIT-REDUCTION RESERVE FUND FOR GOVERNMENT REFORM AND EFFICIENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings through the use of performance data or scientifically rigorous evaluation methodologies for the elimination, consolidation, or reform of Federal programs, agencies, offices, and initiatives, or the sale of Federal property, or the reduction of duplicative Federal financial literacy programs, or the reduction of duplicative Federal housing assistance programs or the reduction of duplicative Federal grant programs within the Department of Justice, or the reduction of duplicative Federal unmanned aircraft programs, or the reduction of duplicative Federal science, technology, engineering, and mathematics programs or the reduction of duplicative Federal economic development programs or the reduction of duplicative Federal support for entrepreneurs programs, or the reduction of duplicative preparedness grants by the Federal Emergency Management Agency or the reduction of duplicative Federal green building programs, or the reduction of duplicative Federal diesel emissions programs, or the reduction of duplicative early learning child care programs, or the reduction of duplicative domestic food assistance programs, or the reduction of duplicative teacher quality programs, or the reduction of duplicative food safety programs, or the reduction of duplicative Defense language and cultural training programs, or the reduction of duplicative nuclear nonproliferation programs, or reduce improper payments, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 322. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE FEDERAL BENEFIT PROCESSING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to business process changes at the Office of Personnel Management, which may include processing times for Federal employee benefits or other efficiencies or operational changes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 323. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO IMPROVE VOTER REGISTRATION AND THE VOTING EXPERIENCE IN FEDERAL ELECTIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the improvement of voter registration and the voting experience in Federal elections, which may include funding measures or other measures addressing voter registration or election reform, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 324. DEFICIT-REDUCTION RESERVE FUND TO PROMOTE CORPORATE TAX FAIRNESS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to corporate income taxes, which may include measures addressing loopholes used by large profitable corporations that pay no Federal income tax and use such savings to reduce the deficit. The Chairman may also make adjustment to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 325. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING FEDERAL FOREST MANAGEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the management of Federal forest lands, which may include—

- (1) the increase of timber production within sustainable levels;
- (2) the protection of communities from wildfires, or the enhancement of forest resilience to insects or disease; or
- (3) the improvement, protection, or restoration of watersheds and forest ecosystems;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 326. DEFICIT-NEUTRAL RESERVE FUND FOR FINANCIAL TRANSPARENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the transparency of financial and performance

information for Federal agencies, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 327. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE MANUFACTURING IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to investment in the manufacturing sector of the United States, which may include educational or research and development initiatives, public-private partnerships, or other programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 328. DEFICIT-REDUCTION RESERVE FUND FOR REPORT ELIMINATION OR MODIFICATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings through the elimination, modification, or the reduction in frequency of congressionally mandated reports from Federal agencies, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 329. DEFICIT-NEUTRAL RESERVE FUND FOR THE MINIMUM WAGE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to income inequality, which may include an increase in the minimum wage, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 330. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE HEALTH OUTCOMES AND LOWER COSTS FOR CHILDREN IN MEDICAID.

(a) **PROTECTING MEDICAID FOR AMERICA'S CHILDREN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that

preserve Medicaid's role in protecting children's health care, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(b) **MEDICALLY COMPLEX CHILDREN.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the health outcomes and lowers costs for medically complex children in Medicaid, which may include creating or expanding integrated delivery models or improving care coordination, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

(c) **ORAL HEALTH CARE FOR CHILDREN WITH MEDICAID COVERAGE.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that improve the oral health outcomes for children covered by Medicaid, including legislation that may allow for risk-based disease prevention and comprehensive, coordinated chronic disease treatment approaches, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 331. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE FEDERAL WORKFORCE DEVELOPMENT, JOB TRAINING, AND REEMPLOYMENT PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would ensure effective administration, reduce inefficient overlap, improve access, and enhance outcomes of Federal workforce development, youth and adult job training, and reemployment programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 332. DEFICIT-NEUTRAL RESERVE FUND FOR REPEAL OF MEDICAL DEVICE TAX.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the House and the Senate, motions, or conference reports related to innovation, high quality manufacturing jobs, and economic growth, including the repeal of the 2.3 percent excise tax on medical device man-

ufacturers, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 333. DEFICIT-NEUTRAL RESERVE FUND PROHIBITING MEDICARE VOUCHERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to access for Medicare beneficiaries, which may include legislation that provides beneficiary protections from voucher payments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 334. DEFICIT-NEUTRAL RESERVE FUND FOR EQUAL PAY FOR EQUAL WORK.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to efforts to ensure equal pay policies and practices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 335. DEFICIT-NEUTRAL RESERVE FUND RELATING TO WOMEN'S HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to women's access to health care, which may include the protection of basic primary and preventative health care, family planning and birth control, or employer-provided contraceptive coverage for women's health care, by the amounts provided in such legislation for these purposes, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 336. DEFICIT-NEUTRAL RESERVE FUND TO REQUIRE STATE-WIDE BUDGET NEUTRALITY IN THE CALCULATION OF THE MEDICARE HOSPITAL WAGE INDEX FLOOR.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would adjust Medicare outlays, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the

total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 337. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROMOTION OF INVESTMENT AND JOB GROWTH IN UNITED STATES MANUFACTURING, OIL AND GAS PRODUCTION, AND REFINING SECTORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that may result in strong growth in manufacturing, oil and gas production, and refining sectors of the economy through the approval and construction of the Keystone XL Pipeline without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 338. DEFICIT-NEUTRAL RESERVE FUND TO ALLOW STATES TO ENFORCE STATE AND LOCAL USE TAX LAWS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of any committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to allowing States to enforce State and local use taxes already owed under State law on remote sales by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023 and provided that such legislation may include requirements that States recognize the value of small businesses to the United States economy by exempting the remote sales of business inputs from sales and use taxes.

SEC. 339. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE DEFINITION OF FULL-TIME EMPLOYEE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to employer penalties in the Patient Protection and Affordable Care Act, which may include restoring a sensible definition of “full-time employee”, provided that such legislation does not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 340. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE LABELING OF GENETICALLY ENGINEERED FISH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the labeling of genetically engineered fish, without raising new revenue, by the amounts provided in the legislation for those purposes, provided

that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 341. DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILIES OF AMERICA'S SERVICEMEMBERS AND VETERANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to support for the families of members of the Armed Forces and veterans, including—

- (1) expanding educational opportunities;
- (2) providing increased access to job training and placement services;
- (3) tracking and reporting on suicides of family members of members of the Armed Forces;
- (4) ensuring access to high-quality and affordable healthcare; or
- (5) improving military housing;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 342. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ESTABLISHING A BIENNIAL BUDGET AND APPROPRIATIONS PROCESS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to establishing a biennial budget and appropriations process, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 343. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OR REDUCTION OF THE ESTATE TAX.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the repeal or reduction of the estate tax, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 344. DEFICIT-NEUTRAL RESERVE FUND FOR DISABLED VETERANS AND THEIR SURVIVORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or con-

ference reports related to protecting the benefits of disabled veterans and their survivors, which may not include a chained CPI, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 345. DEFICIT REDUCTION FUND FOR NO BUDGET, NO OMB PAY.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to the federal budget process, which may include prohibiting paying the salaries of either the Director of the Office of Management and Budget (OMB), the OMB Deputy Director, or the OMB Deputy Director for Management, or all three officials, for the period of time after which the President fails to submit a budget, pursuant to section 1105 of title 31, United States Code, and until the day the President submits a budget to Congress.

SEC. 346. DEFICIT-NEUTRAL RESERVE FUND RELATING HARDROCK MINING REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal land management, which may include provisions relating to budget deficit reduction, establishment of a reclamation fund, imposition of a locatable mineral royalty, revenue sharing with States, and improvements to the permitting process, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 347. DEFICIT-NEUTRAL RESERVE FUND TO END "TOO BIG TO FAIL" SUBSIDIES OR FUNDING ADVANTAGE FOR WALL STREET MEGA-BANKS (OVER \$500,000,000,000 IN TOTAL ASSETS).

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports related to any subsidies or funding advantage relative to other competitors received by bank holding companies with over \$500,000,000,000 in total assets, which may include elimination of any subsidies or funding advantage relative to other competitors resulting from the perception of Federal assistance to prevent receivership, or any subsidies or funding advantage relative to other competitors resulting from the perception of Federal assistance to facilitate exit from receivership, or to realign market incentives to protect the taxpayer, except in the case of Federal assistance provided in response to a natural disaster, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not in-

crease the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 348. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AUTHORIZING CHILDREN ELIGIBLE FOR HEALTH CARE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS TO RETAIN SUCH ELIGIBILITY UNTIL AGE 26.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to authorizing children who are eligible to receive health care furnished under laws administered by the Secretary of Veterans Affairs to retain such eligibility until age 26, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 349. DEFICIT-NEUTRAL RESERVE FUND FOR STATE AND LOCAL LAW ENFORCEMENT.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report to support State and local law enforcement, which may include investing in State formula grants, to aid State and local law enforcement and criminal justice systems in implementing innovative, evidence-based approaches to crime prevention and control, including strategies such as specialty courts, multi-jurisdictional task forces, technology improvement, and information sharing systems, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 350. DEFICIT-NEUTRAL RESERVE FUND TO ESTABLISH A NATIONAL NETWORK FOR MANUFACTURING INNOVATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to accelerating the development and deployment of advanced manufacturing technologies, advancing competitiveness, improving the speed and infrastructure with which small- and medium-sized enterprises and supply chains commercialize new processes and technologies, and informing industry-driven education and training, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 351. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURE THAT ANY CARBON EMISSIONS STANDARDS MUST BE COST EFFECTIVE, BASED ON THE BEST AVAILABLE SCIENCE, AND BENEFIT LOW-INCOME AND MIDDLE CLASS FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to carbon emission standards, that any such standards must be cost effective, based on best available science and benefit low-income and middle class families, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 352. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE ELIGIBILITY CRITERIA FOR CERTAIN UNLAWFUL IMMIGRANT INDIVIDUALS WITH RESPECT TO CERTAIN HEALTH INSURANCE PLANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to limiting undocumented immigrants from qualifying for federally subsidized health insurance coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 353. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE NO FINANCIAL INSTITUTION IS ABOVE THE LAW REGARDLESS OF SIZE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to criminal liability of a financial institution operating in the United States, which may include measures to address the criminal prosecution of a large financial institution operating in the United States or executives of a large financial institution operating in the United States, including for wrongdoing relating to money laundering or violation of sanctions laws, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 354. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HELPING HOMEOWNERS AND SMALL BUSINESSES MITIGATE AGAINST FLOOD LOSS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or

more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing better coordination among flood mitigation programs to meet the unmet mitigation needs of homeowners and small businesses, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 355. DEFICIT-NEUTRAL RESERVE FUND TO RESTORE FAMILY HEALTH CARE FLEXIBILITY BY REPEALING THE HEALTH SAVINGS ACCOUNT AND FLEXIBLE SPENDING ACCOUNT RESTRICTIONS IN THE HEALTH CARE LAW.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between houses, motions, or conference reports that restore families' health care flexibility, which may include repealing tax increases on tax-advantaged accounts in the Patient Protection and Affordable Care Act (Public Law 111-148; Stat. 119), without raising revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 356. DEFICIT-NEUTRAL RESERVE FUND FOR BARDA AND THE BIOSHIELD SPECIAL RESERVE FUND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that may provide for full funding for the Biomedical Advanced Research and Development Authority under section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) and the Special Reserve Fund under Section 319-F2 of the Public Health Service Act (42 U.S.C. 247d-6b) without raising new revenue by the amounts provided in such authorizing legislation for those purposes, provided that such legislation does not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 357. DEFICIT-REDUCTION RESERVE FUND FOR POSTAL REFORM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the United States Postal Service, which may include measures addressing the nonprofit postal discount for State and national political committees, and use such savings to reduce the deficit. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 358. DEFICIT-NEUTRAL RESERVE FUND TO BROADEN THE EFFECTS OF THE SEQUESTER, INCLUDING ALLOWING MEMBERS OF CONGRESS TO DONATE A PORTION OF THEIR SALARIES TO CHARITY OR TO THE DEPARTMENT OF THE TREASURY DURING SEQUESTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that are related to broadening the impact of the sequester, which may include allowing Members of Congress to donate 20 percent of their salaries to charity or to the Department of the Treasury if the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 359. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THE BUREAU OF LAND MANAGEMENT COLLABORATES WITH WESTERN STATES TO PREVENT THE LISTING OF THE SAGE-GROUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports that would improve the management of public land and natural resources, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 360. DEFICIT-REDUCTION RESERVE FUND FOR EMINENT DOMAIN ABUSE PREVENTION.

The Chairman of the Senate Committee on the Budget shall reduce allocations, pursuant to section 302(a) of the Congressional Budget Act of 1974, equal to amounts withheld pursuant to one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to federal economic development assistance, which may include amendments to the eligibility of a State or local government to receive benefits, including restricting benefits when eminent domain has been used to take private property and transfer it to another private use, and reduce the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 361. DEFICIT-NEUTRAL RESERVE FUND FOR EXPORT PROMOTION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or

more bills, joint resolutions, amendments, motions, or conference reports that relate to promoting exports, which may include providing the President with trade promotion authority, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 362. DEFICIT-NEUTRAL RESERVE FUND FOR THE PROHIBITION ON FUNDING OF THE MEDIUM EXTENDED AIR DEFENSE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to prohibiting use of funds for defense programs not authorized by law, which may include the Medium Extended Air Defense System (MEADS), without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 363. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE THE CAPACITY OF AGENCIES TO ENSURE EFFECTIVE CONTRACT MANAGEMENT AND CONTRACT OVERSIGHT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of Federal agencies to ensure effective contract management and contract oversight, including efforts such as additional personnel and training for Inspectors General at each agency, new reporting requirements for agencies to track their responses to and actions taken in response to Inspector General recommendations, urging the President to appoint permanent Inspectors General at agencies where there is currently a vacancy, and any other effort to ensure accountability from contractors and increase the capacity of Inspectors General to rout out waste, fraud, and abuse in all government contracting efforts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 364. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AIR TRAFFIC CONTROL SERVICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal investment in civil air traffic control services, which may include air traffic management at airport towers across the United States or at facilities of the Federal Aviation Administration, by the amounts provided in such legislation for those purposes, provided that such

legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 365. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS PRESCRIPTION DRUG ABUSE IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to addressing prescription drug abuse, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 366. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT RURAL SCHOOLS AND DISTRICTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to the establishment of the Office of Rural Education Policy within the Department of Education, which could include a clearinghouse for information related to the challenges of rural schools and districts or providing technical assistance within the Department of Education on rules and regulations that impact rural schools and districts, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 367. DEFICIT-NEUTRAL RESERVE FUND TO STRENGTHEN ENFORCEMENT OF FREE TRADE AGREEMENT PROVISIONS RELATING TO TEXTILE AND APPAREL ARTICLES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to strengthening the enforcement of provisions of free trade agreements that relate to textile and apparel articles, which may include increased training with respect to, and monitoring and verification of, textile and apparel articles, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 368. DEFICIT-NEUTRAL RESERVE FUND TO ASSIST LOW-INCOME SENIORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Older Americans Act of 1965, which may include congregate and home-delivered meals programs, or other assistance to low-income sen-

iors, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 369. RESERVE FUND TO END OFFSHORE TAX ABUSES BY LARGE CORPORATIONS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports related to corporate income taxes, which may include measures to end offshore tax abuses used by large corporations, or measures providing for comprehensive tax reform that ensures a revenue structure that is more efficient, leads to a more competitive business environment, and may result in additional rate or deficit reductions, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 370. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT DOMESTIC ENERGY SOURCES CAN MEET EMISSIONS RULES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that are related to the research, development, and demonstration necessary for domestically abundant energy sources and current energy technologies to comply with present and future greenhouse gas emissions rules while still remaining economically competitive, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 371. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR THE INLAND WATERWAYS SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to funding the inland waterways system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 372. DEFICIT-NEUTRAL RESERVE FUND FOR ACHIEVING FULL AUDITABILITY OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE BY 2017.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between Houses, motions, or conference reports relating to achieving full

auditability of the financial statements Department of Defense by 2017, without raising new revenue, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 373. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SANCTIONS WITH RESPECT TO IRAN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Iran, which may include efforts to clarify that the clearance and settlement of euro-denominated transactions through European Union financial institutions may not result in the evasion of or otherwise undermine the impact of sanctions imposed with respect to Iran by the United States and the European Union (including provisions designed to strictly limit the access of the Government of Iran to its foreign exchange reserves and the facilitation of transactions on behalf of sanctioned entities), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 374. DEFICIT-NEUTRAL RESERVE FUND TO PREVENT RESTRICTIONS TO PUBLIC ACCESS TO FISHING DOWNSTREAM OF DAMS OWNED BY THE CORPS OF ENGINEERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports relating to prohibiting the Corps of Engineers from restricting public access to waters downstream of a Corps of Engineers dam, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 375. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE DISPROPORTIONATE REGULATORY BURDENS ON COMMUNITY BANKS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to alleviating disproportionate regulatory burdens on community banks, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 376. DEFICIT-NEUTRAL RESERVE FUND TO AUTHORIZE PROVISION OF PER DIEM PAYMENTS FOR PROVISION OF SERVICES TO DEPENDENTS OF HOMELESS VETERANS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between both Houses, motions, or conference reports related to care, services, or benefits for homeless veterans, which may include providing per diem payments for the furnishing of care for dependents of homeless veterans, without raising new revenue, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 377. DEFICIT-NEUTRAL RESERVE FUND TO SUPPORT PROGRAMS RELATED TO THE NUCLEAR MISSIONS OF THE DEPARTMENT OF DEFENSE AND THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that support programs related to the nuclear missions of the Department of Defense and the National Nuclear Security Administration, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 378. DEFICIT-NEUTRAL RESERVE FUND TO PHASE-IN ANY CHANGES TO INDIVIDUAL OR CORPORATE TAX SYSTEMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to the phase-in of any changes to the individual or corporate tax systems, including any changes to individual or corporate income tax exclusions, exemptions, deductions, or credits, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 379. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASES IN AID FOR TRIBAL EDUCATION PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increases in aid for tribal education programs, including the Tribally Controlled Postsecondary Career and Technical Institutions Program administered by the Department of Education, by the amounts provided in such legislation for those purposes, provided that such legislation

would not increase the deficit over either the period of the total of fiscal years 2014 through 2018 or the period of the total of fiscal years 2014 through 2023.

SEC. 380. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE EXPORTS FROM THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports related to promoting the export of goods, including manufactured goods, from the United States through reform of environmental laws, which may include the regulation of greenhouse gas emissions produced outside the United States by goods exported from the United States, without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 381. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING THE REAUTHORIZATION OF THE PAYMENTS IN LIEU OF TAXES PROGRAM AT LEVELS ROUGHLY EQUIVALENT TO PROPERTY TAX REVENUES LOST DUE TO THE PRESENCE OF FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for 1 or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to that make changes to or provide for the reauthorization of the Payment in Lieu of Taxes program at levels roughly equivalent to lost tax revenues due to the presence of Federal land without raising new revenue, by the amounts provided in the legislation for those purposes, provided that the legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 382. DEFICIT-NEUTRAL RESERVE FUND TO ENSURE THAT THE UNITED STATES WILL NOT NEGOTIATE OR SUPPORT TREATIES THAT VIOLATE AMERICANS' SECOND AMENDMENT RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the implementation of treaties, including upholding the constitutional rights of citizens of the United States when treaties are negotiated, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 383. DEFICIT-NEUTRAL RESERVE FUND TO INCREASE FUNDING FOR FEDERAL INVESTMENTS IN BIOMEDICAL RESEARCH.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to Federal investments in biomedical research, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

SEC. 384. DEFICIT-NEUTRAL RESERVE FUND TO UPHOLD SECOND AMENDMENT RIGHTS AND PREVENT THE UNITED STATES FROM ENTERING INTO THE UNITED NATIONS ARMS TRADE TREATY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that relate to upholding Second Amendment rights, which shall include preventing the United States from entering into the United Nations Arms Trade Treaty, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or revenues over either the period of the total of fiscal years 2013 through 2018 or the period of the total of fiscal years 2013 through 2023.

TITLE IV— BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 401. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 AND 2014, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this resolution, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2013—

(A) for the security category, \$684,000,000,000 in budget authority; and

(B) for the nonsecurity category, \$359,000,000,000 in budget authority; and

(2) for fiscal year 2014—

(A) for the revised security category, \$497,352,000,000 in budget authority; and

(B) for the revised nonsecurity category, \$469,023,000,000 in budget authority;

as adjusted in conformance with the adjustment procedures in this resolution.

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After a bill or joint resolution relating to any matter described in paragraph (2) or (3) is placed on the calendar, or upon the offering of an amendment or motion thereto, or the laying down of an amendment between the Houses or a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) EMERGENCY REQUIREMENTS.—Measures making appropriations in a fiscal year for emergency requirements (and so designated pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(B) DISABILITY REVIEWS AND REDETERMINATIONS.—Measures making appropriations in a fiscal year for continuing disability reviews and redeterminations (consistent with section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(C) HEALTH CARE FRAUD AND ABUSE.—Measures making appropriations in a fiscal year for health care fraud and abuse control (consistent with section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(D) DISASTER RELIEF.—Measures making appropriations for disaster relief (and so designated pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985).

(3) ADJUSTMENTS FOR OVERSEAS CONTINGENCY OPERATIONS.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports;

making appropriations for overseas contingency operations by the amounts provided in such legislation for those purposes (and so designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985), up to the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2013, \$99,670,000,000 in budget authority (and outlays flowing therefrom); and

(ii) for fiscal year 2014, \$50,000,000,000 in budget authority (and outlays flowing therefrom).

(d) DEFINITIONS.—In this section—

(1) the term “nonsecurity category” means all discretionary appropriations not included in the security category;

(2) the term “revised nonsecurity category” means all discretionary appropriations other than in budget function 050;

(3) the term “revised security category” means discretionary appropriations in budget function 050; and

(4) the term “security category” means discretionary appropriations associated with agency budgets for the Department of Defense, the Department of Homeland Security, the Department of Veterans Affairs, the National Nuclear Security Administration, the intelligence community management account (95–0401–0–1–054), and all budget accounts in budget function 150 (international affairs).

SEC. 402. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution mak-

ing appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

SEC. 403. ADJUSTMENTS FOR SEQUESTRATION OR SEQUESTRATION REPLACEMENT.

(a) ADJUSTMENTS UNDER CURRENT LAW.—If the enforcement procedures established under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 and section 901(e) of the American Taxpayer Relief Act of 2012 go into, or remain in effect, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such enforcement.

(b) **ADJUSTMENTS IF AMENDED.**—If a measure becomes law that amends the discretionary spending limits established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the adjustments to discretionary spending limits under section 251(b) of that Act, or the enforcement procedures established under section 251A of that Act or section 901(e) of the American Taxpayer Relief Act of 2012, the Chairman of the Committee on the Budget of the Senate may adjust the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee or committees of the Senate, and may adjust all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such measure.

SEC. 404. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

(a) **IN GENERAL.**—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision or provisions affecting the Crime Victims Fund (as established by section 1402 of Public Law 98–473 (42 U.S.C. 10601)) which constitutes a change in a mandatory program that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (d) and (e).

(b) **DETERMINATION.**—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

(c) **SUPERMAJORITY WAIVER AND APPEAL.**—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) **GENERAL POINT OF ORDER.**—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable

in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(e) **FORM OF THE POINT OF ORDER.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

SEC. 405. SUPERMAJORITY ENFORCEMENT.

Section 425(a)(1) and (2) of the Congressional Budget Act of 1974 shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974.

SEC. 406. PROHIBITING THE USE OF GUARANTEE FEES AS AN OFFSET.

(a) **PURPOSE.**—The purpose of this section is to ensure that increases in guarantee fees charged by Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit.

(b) **BUDGETARY RULE.**—In the Senate, for purposes of determining budgetary impacts to evaluate points of order under this resolution and the Congressional Budget Act of 1974, this resolution, any previous resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increases any guarantee fees of Fannie Mae and Freddie Mac shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

Subtitle B—Other Provisions

SEC. 411. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list and the annual report to reduce program duplication. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and esti-

mates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 412. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 413. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

- (1) apply while that measure is under consideration;
- (2) take effect upon the enactment of that measure; and
- (3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 414. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 415. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

- (1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and
- (2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SEC. 416. CONGRESSIONAL BUDGET OFFICE ESTIMATES.

(a) REQUEST FOR SUPPLEMENTAL ESTIMATES.—In the case of any legislative provision to which this section applies, the Congressional Budget Office, with the assistance of the Joint Committee on

Taxation, shall prepare, to the extent practicable, as a supplement to the cost estimate for legislation affecting revenues, an estimate of the revenue changes in connection with such provision that incorporates the macroeconomic effects of the policy being analyzed. Any macroeconomic impact statement under the preceding sentence shall be accompanied by a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing—

(1) such estimate; and

(2) the conventional estimate in connection with such provision.

(b) **LEGISLATIVE PROVISIONS TO WHICH THIS SECTION APPLIES.**—This section shall apply to any legislative provision—

(1) which proposes a change or changes to law that the Congressional Budget Office determines, pursuant to a conventional fiscal estimate, has a revenue impact in excess of \$5,000,000,000 in any fiscal year; or

(2) with respect to which the chair or ranking member of the Committee on the Budget of either the Senate or the House of Representatives has requested an estimate described in subsection (a).

TITLE V—OTHER MATTERS

SEC. 501. TO REQUIRE TRANSPARENT REPORTING ON THE ONGOING COSTS TO TAXPAYERS OF OBAMACARE.

When the Congressional Budget Office releases its annual Update to the Budget and Economic Outlook, the Congressional Budget Office shall report changes in direct spending and revenue associated with the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the net impact on deficit, both with on-budget and off-budget effects. The information shall be similar to that provided in Table 2 of the Congressional Budget Office’s March 20, 2010 estimate of the budgetary effects of the Health Care and Education Reconciliation Act of 2010 and the Patient Protection and Affordable Care Act (PPACA), as passed by the Senate.

SEC. 502. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF OBAMACARE.

When the Congressional Budget Office releases its annual update to the Budget and Economic Outlook, the Congressional Budget Office shall provide an analysis of the budgetary effects of 30 percent, 50 percent, and 100 percent of Americans losing employer sponsored health insurance and accessing coverage through Federal or State exchanges.

SEC. 503. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF ANY BUDGET SUBMITTED BY THE PRESIDENT.

When the Congressional Budget Office submits its report to Congress relating to a budget submitted by the President for a fiscal year under section 1105 of title 31, United States Code, such report shall contain—

(1) an estimate of the pro rata cost for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year of any deficit that would result from the budget; and

(2) an analysis of the budgetary effects described in paragraph (1).

SEC. 504. SENSE OF SENATE ON UNDERUTILIZED FACILITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND THEIR POTENTIAL USE.

(a) FINDINGS.—The Senate finds the following:

(1) The National Aeronautics and Space Administration (NASA) is the ninth largest real property holder of the Federal Government, with more than 124,000 acres and more than 4,900 buildings and other structures with a replacement value of more than \$30,000,000,000.

(2) The annual operation and maintenance costs of the National Aeronautics and Space Administration have increased steadily, and, as of 2012, the Administration has more than \$2,300,000,000 in annual deferred maintenance costs.

(3) According to Office of Inspector General (OIG) of the National Aeronautics and Space Administration, the Administration continues to retain real property that is underutilized, does not have identified future mission uses, or is duplicative of other assets in its real property inventory.

(4) The Office of Inspector General, the Government Accountability Office (GAO), and Congress have identified the aging and duplicative infrastructure of the National Aeronautics and Space Administration as a high priority and long-standing management challenge.

(5) In the NASA Authorization Act of 2010, Congress directed the National Aeronautics and Space Administration to examine its real property assets and downsize to fit current and future missions and expected funding levels, paying particular attention to identifying and removing unneeded or duplicative infrastructure.

(6) The Office of Inspector General found at least 33 facilities, including wind tunnels, test stands, airfields, and launch infrastructure, that were underutilized or for which National Aeronautics and Space Administration managers could not identify a future mission use and that the need for these facilities have declined in recent years as a result of changes in the mission focus of the Administration, the condition and obsolescence of some facilities, and the advent of alternative testing methods.

(7) The Office of Inspector General found that the National Aeronautics and Space Administration has taken steps to minimize the costs of continuing to maintain some of these facilities by placing them in an inactive state or leasing them to other parties.

(8) The National Aeronautics and Space Administration has a series of initiatives underway that, in the judgment of the Office of Inspector General, are “positive steps towards ‘rightsizing’ its real property footprint”, and the Office of Inspector General has concluded that “it is imperative that

NASA move forward aggressively with its infrastructure reduction efforts”.

(9) Existing and emerging United States commercial launch and exploration capabilities are providing cargo transportation to the International Space Station and offer the potential for providing crew support, access to the International Space Station, and missions to low Earth orbit while the National Aeronautics and Space Administration focuses its efforts on heavy-lift capabilities and deep space missions.

(10) National Aeronautics and Space Administration facilities and property that are underutilized, duplicative, or no longer needed for Administration requirements could be utilized by commercial users and State and local entities, resulting in savings for the Administration and a reduction in the burden of the Federal Government to fund space operations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume—

(1) the National Aeronautics and Space Administration should move forward with plans to reduce its infrastructure and, to the greatest extent practicable, make property available for lease to a government or private tenant or report the property to the General Services Administration (GSA) for sale or transfer to another entity;

(2) the National Aeronautics and Space Administration should pursue opportunities for streamlined sale or lease of property and facilities, including for exclusive use, to a private entity, or expedited conveyance or transfer to a State or political subdivision, municipality, instrumentality of a State, or Department of Transportation-licensed launch site operators for the promotion of commercial or scientific space activity and for developing and operating space launch facilities; and

(3) leasing or transferring underutilized facilities and properties to commercial space entities or State or local governments will reduce operation and maintenance costs for the National Aeronautics and Space Administration, save money for the Federal Government, and promote commercial space and the exploration goals of the Administration and the United States.

Passed the Senate March 23 (legislative day, March 22), 2013.

Attest:

Secretary.

S. Con. Res. 8

CONCURRENT RESOLUTION

SELECTED PROVISIONS OF THE COMMITTEE PRINT ON S. CON. RES. 8

* * * * *

Reserve Funds

SEC. 301. RESERVE FUND TO REPLACE SEQUESTRATION.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that repeals or revises the enforcement procedures, including sequestration, established by the Budget Control Act of 20 11.

SEC. 302. RESERVE FUND TO PROMOTE EMPLOYMENT AND JOB GROWTH.

The Committee reported resolution includes a deficit-neutral reserve fund for legislation to promote employment and job growth, provide assistance to small business, the unemployed, or legislation related to trade, including Trade Adjustment Assistance programs, trade enforcement, or international agreements for economic assistance.

SEC. 303. RESERVE FUND TO ASSIST WORKING FAMILIES AND CHILDREN.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation related to the Social Services Block Grant (SSBG), the Temporary Assistance for Needy Families (TANF) program, child support enforcement programs, or related programs that provide a critical safety net. The reserve fund could also be used for legislation providing housing assistance, including working family rental assistance. In addition, the reserve fund could be used for legislation related to child welfare programs, including the Federal foster care payment system.

SEC. 304. RESERVE FUND FOR EARLY CHILDHOOD EDUCATION.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation related to pre-kindergarten programs serving low-income children, child care assistance for working families, or home visiting programs serving low-income mothers-to-be and low-income families.

SEC. 305. RESERVE FUND FOR TAX RELIEF.

The Committee-reported resolution includes a deficit neutral reserve fund for legislation that provides for tax relief, including extensions of expiring tax relief or refundable tax relief, relief that

supports innovation by U.S. enterprises, or relief that expands the ability of startup companies to benefit from the credit for research and experimentation expenses.

SEC. 306. RESERVE FUND FOR TAX REFORM.

The Committee-reported resolution includes a reserve fund for legislation that reforms the Internal Revenue Code to ensure a sustainable revenue base that leads to a fairer, more progressive, and more efficient tax system than currently exists, and to a more competitive business environment for U.S. enterprises.

SEC. 307. RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that would invest in clean energy or preserve the environment. The reserve fund could be used for legislation related to the reduction of our Nation's dependence on imported energy, the investment of receipts from domestic energy production, energy conservation and renewable energy development, or new or existing approaches to clean energy financing. It could also be used for legislation related to the Low-Income Home Energy Assistance Program, Federal programs for land and water conservation and acquisition, or greenhouse gas emissions levels. It applies to legislation that preserves, restores, or protects the Nation's public lands, oceans, coastal areas, or aquatic systems. The reserve fund may also be used for legislation implementing agreements between the U.S. and jurisdictions of the former Trust Territory, providing additional resources for wildland fire management activities, or restructuring the nuclear waste program.

SEC. 308. RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

The Committee reported resolution includes a deficit-neutral reserve fund for legislation that would provide for Federal investment in America's infrastructure, which may include projects for transportation, housing, energy, water, telecommunications, or financing through tax credit bonds.

SEC. 309. RESERVE FUND FOR AMERICA'S SERVICE MEMBERS AND VETERANS.

The Committee reported resolution includes a deficit-neutral reserve fund for legislation that relates to the eligibility for both military retired pay and veterans' disability compensation (concurrent receipt), the reduction or elimination of the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation, or the improvement of disability benefits or the process of evaluating and adjudicating benefit claims for members of the Armed Forces or veterans. It may also be used for legislation addressing the infrastructure needs of the Department of Veterans Affairs, or for legislation to support the transition of service members to the civilian workforce.

SEC. 310. RESERVE FUND FOR HIGHER EDUCATION.

The Committee-reported resolution includes a deficit-neutral reserve fund that provides for making higher education more accessible, which may include legislation to increase college enrollment and completion rates for low-income students or promote college savings.

SEC. 311. RESERVE FUND FOR HEALTH CARE.

The Committee-reported resolution includes deficit-neutral reserve funds for legislation that would improve health care. The reserve funds could be used for legislation that increases payments made under, or permanently reforms or replaces, the Medicare Sustainable Growth Rate (SGR) formula. The reserve funds could also be used for legislation that extends expiring Medicare, Medicaid, or other health provisions. They could also be used for legislation that promotes improvements to health care delivery systems, which may include changes that increase care quality, encourage efficiency, or improve care coordination. Legislation making such changes must improve the fiscal sustainability of federal health spending over the long term. In addition, the reserve funds could be used for legislation protecting access to outpatient therapy services through measures such as repealing or increasing the current outpatient therapy caps. The reserve funds also apply to legislation relating to drug safety, which may include legislation that permits the safe importation of prescription drugs approved by the Food and Drug Administration from a list of specified countries.

SEC. 312. RESERVE FUND FOR INVESTMENT IN OUR NATION'S COUNTIES AND SCHOOLS.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that would change or reauthorize the Secure Rural Schools and Community Self Determination Act of 2000, change the Payments in Lieu of Taxes Act of 1976, or both.

SEC. 313. RESERVE FUND FOR A FARM BILL.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that reauthorizes the Food, Conservation, and Energy Act of 2008 or prior acts, authorizes similar or related programs, or provides for revenue changes, or any combination of those purposes.

SEC. 314. RESERVE FUND FOR INVESTMENTS IN WATER INFRASTRUCTURE AND RESOURCES.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that provides for water infrastructure programs, which may include flood control and storm damage reduction, navigation, environmental restoration, wastewater, drinking water, or water supply programs. The reserve fund also includes legislation that makes changes to the collection and expenditure of the Harbor Maintenance Tax in order to address the land border loophole and to ensure that funds collected are spent on their intended uses.

SEC. 315. RESERVE FUND FOR PENSION REFORM.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that strengthens and reforms the pension system.

SEC. 316. RESERVE FUND FOR HOUSING FINANCE REFORM.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that promotes appropriate access to mortgage credit for individuals and families or examines the role of government in the secondary mortgage market, which may include legislation to restructure government-sponsored enterprises or provide for mortgage refinance opportunities.

SEC. 317. RESERVE FUND FOR NATIONAL SECURITY.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that supports Department of Defense auditability and acquisition reform efforts.

SEC. 318. RESERVE FUND FOR OVERSEAS CONTINGENCY OPERATIONS.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that provides additional funding for Overseas Contingency Operations.

SEC. 319. RESERVE FUND FOR TERRORISM RISK INSURANCE.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that makes changes to or provides for the reauthorization of the Terrorism Risk Insurance Act.

SEC. 320. RESERVE FUND FOR POSTAL REFORM.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation to strengthen and reform the United States Postal Service.

SEC. 321. RESERVE FUND FOR GOVERNMENT REFORM AND EFFICIENCY.

The Committee-reported resolution includes a deficit-reduction reserve fund that would authorize the Chairman of the Budget Committee to revise committee allocations, revise aggregates other appropriate levels in the resolution, and make adjustments to the Senate's PAYGO ledger, upon enactment of legislation that saves money through the use of performance data or scientifically rigorous evaluation methodologies for the elimination, consolidation, or reform of Federal programs, agencies, offices, and initiatives, or the sale of Federal property, or the reduction of improper payments.

SEC. 322. RESERVE FUND TO IMPROVE FEDERAL BENEFIT PROCESSING.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation related to business process changes at the Office of Personnel Management, which may include processing times for federal employee benefits or other efficiencies or operational changes.

SEC. 323. RESERVE FUND FOR LEGISLATION TO IMPROVE VOTER REGISTRATION AND THE VOTING EXPERIENCE IN FEDERAL ELECTIONS.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation related to the improvement of voter registration and the voting experience in Federal elections, which may include funding measures or other measures addressing voter registration or election reform.

SEC. 324. RESERVE FUND TO PROMOTE CORPORATE TAX FAIRNESS.

The Committee-reported resolution includes a deficit-reduction reserve fund for legislation related to corporate income taxes, which may include measures addressing loopholes used by large profitable corporations that pay no federal income tax. The reserve fund authorizes the Chairman of the Committee on the Budget to make adjustments to the Senate's PAYGO ledger to ensure that

any deficit reduction achieved upon enactment of such legislation is used for deficit reduction only.

SEC. 325. RESERVE FUND FOR IMPROVING FEDERAL FOREST MANAGEMENT.

The Committee reported resolution includes a deficit-neutral reserve fund for legislation relating to the management of federal forestlands. Legislation may address the increase of timber production within sustainable levels, the protection of communities from wildfires, or the enhancement of forest resilience to insects or disease; or the improvement, protection, or restoration of watersheds and forest ecosystems.

SEC. 326. RESERVE FUND FOR FINANCIAL TRANSPARENCY.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation to increase the transparency of financial and performance information for Federal agencies.

SEC. 327. RESERVE FUND TO PROMOTE MANUFACTURING IN THE UNITED STATES.

The Committee reported resolution includes a deficit-neutral reserve fund for legislation related to the investment in the U.S. manufacturing sector, which may include educational or research and development initiatives, public-private partnerships, or other programs.

SEC. 328. RESERVE FUND FOR REPORT ELIMINATION OR MODIFICATION.

The Committee-reported resolution includes a deficit-reduction reserve fund for legislation that achieves savings through the elimination, modification, or the reduction in frequency of congressionally mandated reports from Federal agencies. The reserve fund authorizes the Chairman of the Committee on the Budget to make adjustments to the Senate's PAYGO ledger to ensure that any deficit reduction achieved is used for deficit reduction only.

SEC. 329. RESERVE FUND FOR THE MINIMUM WAGE.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation relating to income inequality, which may include an increase in the minimum wage.

SEC. 330. RESERVE FUND TO IMPROVE HEALTH OUTCOMES AND LOWER COSTS FOR CHILDREN IN MEDICAID.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation related to preserving Medicaid's role in protecting children's health care. The reserve fund also provides for legislation to improve the health outcomes and lower costs for medically complex children in Medicaid, which may include creating or expanding integrated delivery models or improving care coordination.

SEC. 331. RESERVE FUND TO IMPROVE FEDERAL WORKFORCE DEVELOPMENT, JOB TRAINING, AND REEMPLOYMENT PROGRAMS.

The Committee-reported resolution includes a deficit-neutral reserve fund for legislation that would reduce inefficient overlap, improve access, and enhance outcomes with federal workforce development, job training, and reemployment programs.

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SEC. 401. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

The Committee-reported resolution strengthens fiscal responsibility by establishing discretionary spending limits for 2013 and 2014, and enforcing them with a point of order in the Senate that can be waived only with 60 votes. The discretionary caps contain a “firewall” between security and nonsecurity spending for fiscal year 2013. The security category includes discretionary appropriations associated with agency budgets for the Department of Defense, the Department of Homeland Security, the Department of Veterans Affairs, the National Nuclear Security Administration, the intelligence community management account, and all budget accounts in function 150 (international affairs). The nonsecurity category includes all other discretionary appropriations.

The discretionary caps also contain a firewall between a revised security category and a revised nonsecurity category for fiscal year 2014. The revised security category includes discretionary appropriations in budget function 050 (defense). The revised nonsecurity category includes all other discretionary appropriations. The point of order can be raised against legislation breaching the caps in either category.

The Committee-reported resolution permits adjustments to the discretionary spending limits, allocations, and aggregates for certain legislation making appropriations for emergency requirements, disability reviews and redeterminations, health care fraud and abuse control, disaster relief, and overseas contingency operations. These adjustments are consistent with those included in the BCA. The adjustments for overseas contingency operations are limited in the resolution to certain dollar amounts for each of fiscal years 2013 and 2014.

SEC. 402. ADVANCE APPROPRIATIONS.

The Committee-reported resolution provides a supermajority point of order in the Senate against appropriations in 2014 bills that would first become effective in any year after 2014, and against appropriations in 2015 bills that would first become effective in any year after 2015. It does not apply against appropriations for veterans’ medical services, support, or facilities, or the Corporation for Public Broadcasting. Additionally, there is an exemption for each of 2015 and 2016 of up to \$28.852 billion for the following:

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS IN THE SENATE

Labor, HHS:

- Employment and Training Administration
- Job Corps
- Education for the Disadvantaged
- School Improvement
- Special Education
- Career, Technical, and Adult Education

Financial Services and General Government:

- Payment to Postal Service

Transportation, Housing and Urban Development:

Tenant-based Rental Assistance
 Project-based Rental Assistance

SEC. 403. ADJUSTMENTS FOR SEQUESTRATION OR SEQUESTRATION REPLACEMENT.

Because the discretionary spending limits described above as well as aggregates and committee allocations must comply with the Budget Control Act of 2011 (BCA) until the sequestration process is replaced, the Committee-reported resolution permits adjustments to the allocations, aggregates, levels and limits in the resolution if the enforcement procedures, including sequestration, established by the BCA and modified by the American Taxpayer Relief Act of 2012 remain or go into effect. This section also allows for adjustments if a law is enacted that amends those enforcement procedures or the BCA discretionary spending limits contained in the Balanced Budget and Emergency Deficit Control Act of 1985. It also allows for adjustments for program integrity initiatives to fund anti-fraud activities or for legislation to fund investments that will lay the foundation for job growth and long-term economic development.

SEC. 404. SENATE POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

The Committee-reported resolution includes a new 60-vote point of order that applies to appropriations legislation containing one or more provisions that constitute a change in a mandatory program that affects the Crime Victims Fund, as defined by section 10601 of title 42, United States Code.

OTHER MATTERS

SEC. 501. TO REQUIRE TRANSPARENT REPORTING ON THE ONGOING COSTS TO TAXPAYERS OF OBAMACARE.

The Committee-reported resolution directs the Congressional Budget Office, upon the release of its annual Update to the Budget and Economic Outlook, to report changes in direct spending and revenue associated with the Patient Protection and Affordable Care Act (Public Law 111-148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), including the net impact on deficit, both with on-budget and off-budget effects.

SEC. 502. TO REQUIRE FULLER REPORTING ON POSSIBLE COSTS TO TAXPAYERS OF OBAMACARE.

The Committee-reported resolution directs the Congressional Budget Office, upon the release of its annual update to the Budget and Economic Outlook, to provide an analysis of the budgetary effects of 30 percent, 50 percent, and 100 percent of Americans losing employer sponsored health insurance and accessing coverage through Federal or state exchanges.

* * * * *

H. Res. 438

[REPORT NO. 113–290]

Providing for consideration of the Senate amendment to the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes; providing for consideration of motions to suspend the rules; providing for proceedings during the period from December 14, 2013, through January 6, 2014; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

December 11, 2013

Mr. WOODALL, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

Providing for consideration of the Senate amendment to the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes; providing for consideration of motions to suspend the rules; providing for proceedings during the period from December 14, 2013, through January 6, 2014; and for other purposes.

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Budget or his designee that the House recede from its amendment and concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of that report. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for 70 minutes, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

SEC. 2. The chair of the Committee on the Budget may insert in the Congressional Record at any time during the remainder of the first session of the 113th Congress such material as he may deem explanatory of the motion specified in the first section of this resolution.

SEC. 3. In the engrossment of the House amendment to the Senate amendment to House Joint Resolution 59, the Clerk may conform division, title, and section numbers and conform cross-references and provisions for short titles.

* * * * *

Selected Provisions of the Report on H. Res. 438

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for the consideration of the Senate amendment to H.J. Res. 59. The resolution makes in order a motion offered by the chair of the Committee on the Budget or his designee that the House recede from its amendment and concur in the Senate amendment with the amendment printed in part A this report as modified by the amendment printed in part B of this report. The resolution provides 70 minutes of debate on the motion with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the motion and provides that the motion shall not be subject to a demand for division of the question. The resolution provides that the Senate amendment and the motion shall be considered as read.

Section 2 of the resolution provides that chair of the Committee on the Budget may insert in the Congressional Record at any time during the remainder of the first session of the 113th Congress such material as he may deem explanatory of the motion specified in section 1.

Section 3 of the resolution provides that in the engrossment of the House amendment to the Senate amendment to House Joint Resolution 59, the Clerk may conform division, title, and section numbers and conform cross-references and provisions for short titles.

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Legislative Text of H.J. Res. 59

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That

DIVISION A—BIPARTISAN BUDGET AGREEMENT

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This division may be cited as the “Bipartisan Budget Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents of this division is as follows:

DIVISION A—BUDGET ENFORCEMENT AND DEFICIT REDUCTION

Sec. 1. Short title and table of contents.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

Subtitle B—Establishing a Congressional Budget

- Sec. 111. Fiscal year 2014 budget resolution.
- Sec. 112. Limitation on advance appropriations in the Senate.
- Sec. 113. Rule of construction in the House of Representatives.
- Sec. 114. Additional Senate budget enforcement.
- Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.
- Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.
- Sec. 117. Exclusion of savings from PAYGO scorecards.
- Sec. 118. Exercise of rulemaking powers.

Subtitle C—Technical Corrections

- Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.
- Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

- Sec. 201. Improving the collection of unemployment insurance overpayments.
- Sec. 202. Strengthening Medicaid Third-Party Liability.
- Sec. 203. Restriction on access to the death master file.
- Sec. 204. Identification of inmates requesting or receiving improper payments.

TITLE III—NATURAL RESOURCES

- Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.
- Sec. 302. Amendment to the Mineral Leasing Act.
- Sec. 303. Approval of agreement with Mexico.
- Sec. 304. Amendment to the Outer Continental Shelf Lands Act.
- Sec. 305. Federal oil and gas royalty prepayment cap.
- Sec. 306. Strategic Petroleum Reserve.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

- Sec. 401. Increase in contributions to Federal Employees Retirement System for new employees.
 Sec. 402. Foreign Service Pension System.
 Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.

TITLE V—HIGHER EDUCATION

- Sec. 501. Default reduction program.
 Sec. 502. Elimination of nonprofit servicing contracts.

TITLE VI—TRANSPORTATION

- Sec. 601. Aviation security service fees.
 Sec. 602. Transportation cost reimbursement.
 Sec. 603. Sterile areas at airports.

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Extension of customs user fees.
 Sec. 702. Limitation on allowable government contractor compensation costs.
 Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.
 Sec. 704. Cancellation of Unobligated Balances.
 Sec. 705. Conservation planning technical assistance user fees.
 Sec. 706. Self plus one coverage.

(c) REFERENCES.—Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (1) through (10) and inserting the following new paragraphs:

“(1) for fiscal year 2014—

 “(A) for the revised security category,
 \$520,464,000,000 in new budget authority; and

 “(B) for the revised nonsecurity category,
 \$491,773,000,000 in new budget authority;

“(2) for fiscal year 2015—

 “(A) for the revised security category,
 \$521,272,000,000 in new budget authority; and

 “(B) for the revised nonsecurity category,
 \$492,356,000,000 in new budget authority;

“(3) for fiscal year 2016—

 “(A) for the revised security category,
 \$577,000,000,000 in new budget authority; and

 “(B) for the revised nonsecurity category,
 \$530,000,000,000 in new budget authority;

“(4) for fiscal year 2017—

“(A) for the revised security category,
 \$590,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category,
 \$541,000,000,000 in new budget authority;
 “(5) for fiscal year 2018—
 “(A) for the revised security category,
 \$603,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category,
 \$553,000,000,000 in new budget authority;
 “(6) for fiscal year 2019—
 “(A) for the revised security category,
 \$616,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category,
 \$566,000,000,000 in new budget authority;
 “(7) for fiscal year 2020—
 “(A) for the revised security category,
 \$630,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category,
 \$578,000,000,000 in new budget authority; and
 “(8) for fiscal year 2021—
 “(A) for the revised security category,
 \$644,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category,
 \$590,000,000,000 in new budget authority;”.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2014 AND 2015.—(1) Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d), is amended by adding at the end the following new paragraph:

“(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.”.

(2) Paragraph (5)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d)(2)(C) of this section, is amended by striking “On” and inserting “Except as provided by paragraph (10), on”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2022 AND 2023.—Paragraph (6), as redesignated by subsection (d)(2)(C) of this section, of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “(A)” before “On the date” and by adding at the end the following new subparagraph:

“(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—

“(i) the percentage reduction for nonexempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for

the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

“(ii) the percentage reduction for nonexempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).”

(d) CONFORMING AMENDMENTS.—Part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 250(c)(4) (2 U.S.C. 900(c)(4)), by adding at the end the following:

“(D) The term ‘revised security category’ means discretionary appropriations in budget function 050.

“(E) The term ‘revised nonsecurity category’ means discretionary appropriations other than in budget function 050.

“(F) The term ‘category’ means the subsets of discretionary appropriations in section 251(c). 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 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.”; and

(2) in section 251A (2 U.S.C. 901a)—

(A) by striking, in the matter preceding paragraph (1), “Unless” through “as follows:” and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(G) in paragraph (5), as redesignated—

(i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(H) in paragraph (6), as redesignated—

(i) by striking “paragraph (4)” and inserting “paragraph (2)”;

and

- (ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;
- (I) in paragraph (7), as redesignated—
 - (i) by striking “paragraph (8)” and inserting “paragraph (6)”;
 - (ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;
- (J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

Subtitle B—Establishing a Congressional Budget

SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.

(a) FISCAL YEAR 2014.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2014, and enforcing, in the Senate, budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the same manner as for a concurrent resolution on the budget for fiscal year 2014 with appropriate budgetary levels for fiscal year 2014 and for fiscal years 2015 through 2023.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—The Chairmen of the Committee on the Budget of the House of Representatives and the Senate shall each submit a statement for publication in the Congressional Record as soon as practicable after the date of enactment of this Act that includes—

(1) for the Committee on Appropriations of that House, committee allocations for fiscal year 2014 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of that House other than the Committee on Appropriations, committee allocations for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only;

and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2014 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only;

and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) in the Senate only, levels of Social Security revenues and outlays for fiscal year 2014 and for the periods of fiscal years 2014 through 2018 and 2014 through 2023 consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) FURTHER ADJUSTMENTS.—After the date of enactment of this Act, the Chairman of the Committee on the Budget of the House of Representatives may reduce the aggregates, allocations, and other budgetary levels included in the statement of the Chairman of the Committee on the Budget of the House of Representatives referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN THE SENATE.

(a) POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.—

(1) IN GENERAL.—

(A) POINT OF ORDER.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(B) DEFINITION.—In this subsection, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(2) EXCEPTIONS.—Advance appropriations may be provided—

(A) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in a statement submitted to the Congressional Record by the Chairman of the Committee on the Budget of the Senate under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each fiscal year;

(B) for the Corporation for Public Broadcasting; and

(C) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and

Medical Facilities accounts of the Veterans Health Administration.

(3) SUPERMAJORITY WAIVER AND APPEAL.—

(A) WAIVER.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(4) FORM OF POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this subsection, and such point of order being sustained, such material contained in such conference report or amendment between the Houses shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph), no further amendment shall be in order.

(6) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

(b) EXPIRATION.—Subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REPRESENTATIVES.

In the House of Representatives, for the remainder of the 113th Congress, the provisions of H. Con. Res. 25 (113th Congress), as deemed in force by H. Res. 243 (113th Congress), shall remain in force to the extent its budgetary levels are not superseded by this subtitle or by further action of the House of Representatives.

SEC. 114. ADDITIONAL SENATE BUDGET ENFORCEMENT.

(a) SENATE PAY-AS-YOU-GO SCORECARD.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(2) FISCAL YEAR 2015.—After April 15, 2014, but not later than May 15, 2014, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Com-

mittee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(3) PUBLICATION.—Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman of the Committee on the Budget of the Senate shall publish a notification of such action in the Congressional Record.

(b) FURTHER ADJUSTMENTS.—With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this subtitle, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(c) DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits set pursuant to this subtitle for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) to repeal or revise the enforcement procedures established under that section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2014 through 2023. For purposes of determining deficit-neutrality under this subsection, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

(d) ADDITIONAL DEFICIT-NEUTRAL RESERVE FUNDS.—In the Senate only, sections 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341, 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365, 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S. Con. Res. 8 (113th Congress), as passed the Senate, shall have force and effect.

(e) EXPIRATION.—Subsections (a)(2), (c), and (d) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.

(a) FISCAL YEAR 2015.—If a concurrent resolution on the budget for fiscal year 2015 has not been adopted by April 15, 2014, for the purpose of enforcing the Congressional Budget Act of 1974, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives after April 15, 2014, in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal year 2015 and for fiscal years 2016 through 2024.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the Chairman of the Committee on the Budget shall submit a statement for publication in the Congressional Record after April 15, 2014, but not later than May 15, 2014, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2015 at the total level as set forth in sec-

tion 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal year 2015 and for the period of fiscal years 2015 through 2024 at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974; and

(3) aggregate spending levels for fiscal year 2015 and aggregate revenue levels for fiscal year 2015 and for the period of fiscal years 2015 through 2024, at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) **ADDITIONAL MATTER.**—The statement referred to in subsection (b) may also include for fiscal year 2015, the matter contained in title IV (reserve funds) and in sections 601, 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated by one fiscal year, including updated amounts for section 601.

(d) **FISCAL YEAR 2015 ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS.**—If the statement referred to in subsection (b) is not filed by May 15, 2014, then the matter referred to in subsection (b)(1) shall be submitted by the Chairman of the Committee on the Budget for publication in the Congressional Record on the next day that the House of Representatives is in session.

(e) **ADJUSTMENTS.**—The Chairman of the Committee on the Budget of the House of Representatives may adjust the levels included in the statement referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit or as otherwise necessary.

(f) **APPLICATION.**—Subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE SENATE.

(a) **FISCAL YEAR 2015.**—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2014, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal years 2014 and 2016 through 2024.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—After April 15, 2014, but not later than May 15, 2014, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal years 2014 and 2015 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal years 2014 and 2015 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) **ADDITIONAL MATTER.**—The filing referred to in subsection (b) may also include, for fiscal year 2015, the reserve funds included in section 114(c) and (d) of this Act, updated by one fiscal year.

(d) **SUPERSEDING PREVIOUS STATEMENT.**—In the Senate, the filing referred to in subsection (b) shall supersede the statement referred to in section 111(b) of this Act.

(e) **EXPIRATION.**—This section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORECARDS.

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 118. EXERCISE OF RULEMAKING POWERS.

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respec-

tively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

Subtitle C—Technical Corrections

SEC. 121. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) In section 252(b)(2)(B), strike “applicable to budget year” and insert “applicable to the budget year”.

(2) In section 252(c)(1)(C)(i), strike “paragraph (1)” and insert “subsection (b)”.

(3) In section 254(c)(3)(A), strike “subsection 252(b)” and insert “section 252(b)”.

(4) In section 254(f)(4), strike “subsection 252(b)” and insert “section 252(b)”.

(5) In section 255(a), strike “section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code” and insert “sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)”.

(6) In section 255(h), in the item relating to Federal Pell Grants, strike “section 401 Title IV” and insert “section 401 of title IV”.

(7) In the first subsection (j) of section 255 (relating to Split Treatment Programs), move the margins for the list items two ems to the right.

(8) Redesignate the second subsection (j) of section 255 (relating to Identification of Programs) as subsection (k).

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

(10) In section 258(a)(1), strike “section 254(j)” and insert “section 254(i)”.

SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRESSIONAL BUDGET ACT OF 1974.

The Congressional Budget Act of 1974 is amended as follows:

(1) In sections 301(a)(6) and 301(a)(7), strike “For purposes” and insert “for purposes”.

(2) In section 301(a), in the matter following paragraph (7), strike “old age” and insert “old-age”.

(3) In section 302(g)(2)(A), strike “committee on the Budget” and insert “Committee on the Budget”.

(4) In section 305(a)(1), strike “clause 2(l)(6) of rule XI” and insert “clause 4 of rule XIII”.

(5) In section 305(a)(5), strike “provisions of rule XXIII” and insert “provisions of rule XVIII”.

(6) In section 305(b)(1), strike “section 304(a)” and insert “section 304”.

(7) In section 306 strike “No” and insert “(a) IN THE SENATE.—In the Senate, no”, strike “of either House” and “in that House”, strike “of that House”, and add at the end the following new subsection:

“(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.”

(8) In section 308(d), in the subsection heading, strike “Scorekeeping Guidelines.—” and insert “SCOREKEEPING GUIDELINES.—”.

(9) In section 310(c)(1)(A)(i) and (ii), strike “under that paragraph by more than” and insert “under that paragraph by more than—”.

(10) In section 314(d)(2), strike subparagraph (A), redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively, in subparagraph (A), as redesignated, strike “under subparagraph (A)” and insert “under paragraph (1)”, and in subparagraph (B), as redesignated, strike “under subparagraph (B)” and insert “under subparagraph (A)”.

(11) In section 315, add at the end the following new sentence: “In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.”.

(12) In section 401(b)(2), strike “section 302(b)” and insert “section 302(a)”.

(13) In section 401(c), add at the end the following new paragraph:

“(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.”.

(14) In section 421(5)(A)(i)(II), strike “subparagraph (B))” and insert “subparagraph (B)”.

(15) In section 505(c), strike “section 406(b)” both places it appears and insert “section 405(b)”.

(16) In section 904(c)(2), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 314(e)” and insert “314(e), and 314(f)”.

(17) In section 904(d)(3), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 312(c)” and insert “312(c), 314(e), and 314(f)”.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

SEC. 201. IMPROVING THE COLLECTION OF UNEMPLOYMENT INSURANCE OVERPAYMENTS.

(a) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following:

“(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 1 year after the debt was finally determined to be due and collected, the State to which such debt is owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the date of enactment of this Act.

SEC. 202. STRENGTHENING MEDICAID THIRD-PARTY LIABILITY.

(a) PAYMENT FOR PRENATAL AND PREVENTIVE PEDIATRIC CARE AND IN CASES INVOLVING MEDICAL SUPPORT.—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(1) in subparagraph (E)(i), by inserting before the semicolon at the end the following: “, except that the State may, if the State determines doing so is cost-effective and will not adversely affect access to care, only make such payment if a third party so liable has not made payment within 90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services”; and

(2) in subparagraph (F)(i), by striking “30 days after such services are furnished” and inserting “90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services, except that the State may make such payment within 30 days after such date if the State determines doing so is cost-effective and necessary to ensure access to care.”

(b) RECOVERY OF MEDICAID EXPENDITURES FROM BENEFICIARY LIABILITY SETTLEMENTS.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(A) in subparagraph (B), by striking “to the extent of such legal liability”; and

(B) in subparagraph (H), by striking “payment by any other party for such health care items or services” and inserting “any payments by such third party”.

(2) ASSIGNMENT OF RIGHTS OF PAYMENT.—Section 1912(a)(1)(A) of such Act (42 U.S.C. 1396k(a)(1)(A)) is amended by striking “payment for medical care from any third party” and inserting “any payment from a third party that has a legal liability to pay for care and services available under the plan”.

(3) LIENS.—Section 1917(a)(1)(A) of such Act (42 U.S.C. 1396p(a)(1)(A)) is amended to read as follows:

“(A) pursuant to—

“(i) the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or

“(ii) rights acquired by or assigned to the State in accordance with section 1902(a)(25)(H) or section 1912(a)(1)(A), or”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 203. RESTRICTION ON ACCESS TO THE DEATH MASTER FILE.

(a) IN GENERAL.—The Secretary of Commerce shall not disclose to any person information contained on the Death Master File with respect to any deceased individual at any time during the 3-calendar-year period beginning on the date of the individual’s death, unless such person is certified under the program established under subsection (b).

(b) CERTIFICATION PROGRAM.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a program—

(A) to certify persons who are eligible to access the information described in subsection (a) contained on the Death Master File, and

(B) to perform periodic and unscheduled audits of certified persons to determine the compliance by such certified persons with the requirements of the program.

(2) CERTIFICATION.—A person shall not be certified under the program established under paragraph (1) unless such person certifies that access to the information described in subsection (a) is appropriate because such person—

(A) has—

(i) a legitimate fraud prevention interest, or

(ii) a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty, and

(B) has systems, facilities, and procedures in place to safeguard such information, and experience in maintaining the confidentiality, security, and appropriate use of such information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986, and

(C) agrees to satisfy the requirements of such section 6103(p)(4) as if such section applied to such person.

(3) FEES.—

(A) IN GENERAL.—The Secretary of Commerce shall establish under section 9701 of title 31, United States Code, a program for the charge of fees sufficient to cover (but not to exceed) all costs associated with evaluating applications for certification and auditing, inspecting, and monitoring certified persons under the program. Any fees so collected shall be deposited and credited as offsetting collections to the accounts from which such costs are paid.

(B) REPORT.—The Secretary of Commerce shall report on an annual basis to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the total fees collected during the preceding year and the cost of administering the certification program under this subsection for such year.

(c) IMPOSITION OF PENALTY.—

(1) IN GENERAL.—Any person who is certified under the program established under subsection (b), who receives information described in subsection (a), and who during the period of time described in subsection (a)—

(A) discloses such information to any person other than a person who meets the requirements of subparagraphs (A), (B), and (C) of subsection (b)(2),

(B) discloses such information to any person who uses the information for any purpose not listed under subsection (b)(2)(A) or who further discloses the information to a person who does not meet such requirements, or

(C) uses any such information for any purpose not listed under subsection (b)(2)(A),

and any person to whom such information is disclosed who further discloses or uses such information as described in the preceding subparagraphs, shall pay a penalty of \$1,000 for each such disclosure or use.

(2) LIMITATION ON PENALTY.—

(A) IN GENERAL.—The total amount of the penalty imposed under this subsection on any person for any calendar year shall not exceed \$250,000.

(B) EXCEPTION FOR WILLFUL VIOLATIONS.—Subparagraph (A) shall not apply in the case of violations under paragraph (1) that the Secretary of Commerce determines to be willful or intentional violations.

(d) DEATH MASTER FILE.—For purposes of this section, the term “Death Master File” means information on the name, social security account number, date of birth, and date of death of deceased individuals maintained by the Commissioner of Social Security, other than information that was provided to such Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

(e) EXEMPTION FROM FREEDOM OF INFORMATION ACT REQUIREMENT WITH RESPECT TO CERTAIN RECORDS OF DECEASED INDIVIDUALS.—

(1) IN GENERAL.—No Federal agency shall be compelled to disclose the information described in subsection (a) to any person who is not certified under the program established under subsection (b).

(2) TREATMENT OF INFORMATION.—For purposes of section 552 of title 5, United States Code, this section shall be considered a statute described in subsection (b)(3) of such section 552.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

(2) FOIA EXEMPTION.—Subsection (e) shall take effect on the date of the enactment of this Act.

SEC. 204. IDENTIFICATION OF INMATES REQUESTING OR RECEIVING IMPROPER PAYMENTS.

(a) INFORMATION PROVIDED TO THE PRISONER UPDATE PROCESSING SYSTEM (PUPS).—

(1) SECTION 202(x)(3)(B)(i)(I).—Section 202(x)(3)(B)(i)(I) of the Social Security Act (42 U.S.C. 402(x)(3)(B)(i)(I)) is amended by—

(A) inserting “first, middle, and last” before “names”;

(B) striking the comma after the words “social security account numbers” and inserting “or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,”;

(C) inserting “dates of release or anticipated dates of release, dates of work release,” before “and, to the extent available”; and

(D) by inserting “and clause (iv) of this subparagraph” after “paragraph (1)”.

(2) SECTION 1611(e)(1)(I)(i)(I).—Section 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(I)) is amended by—

(A) inserting “first, middle, and last” before “names”;

(B) striking the comma after the words “social security account numbers” and inserting “or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,”;

(C) inserting “dates of release or anticipated dates of release, dates of work release,” before “and, to the extent available”; and

(D) by inserting “and clause (iv) of this subparagraph” after “this paragraph”.

(b) AUTHORITY OF SECRETARY OF THE TREASURY TO ACCESS PUPS.—

(1) SECTION 202(x)(3)(B).—Section 202(x)(3)(B) of the Social Security Act (42 U.S.C. 402(x)(3)(B)) is amended—

(A) in clause (iv), by inserting before the period the following: “, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs”; and

(B) by adding at the end the following:

“(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

“(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity

administering a Federal program or activity, and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(2) SECTION 1611(e)(1)(I).—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)) is amended—

(A) in clause (iii), by inserting before the period the following: “, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs”; and

(B) by adding at the end the following:

“(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

“(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(c) CONFORMING AMENDMENT TO THE DO NOT PAY INITIATIVE.—Section 5(a)(2) of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

“(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act.”.

TITLE III—NATURAL RESOURCES

SEC. 301. ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER PETROLEUM RESOURCES.

(a) REPEAL.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is repealed.

(b) RESCISSION.—Any unobligated funds appropriated for carrying out the subtitle repealed by subsection (a) are rescinded.

SEC. 302. AMENDMENT TO THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows—

“(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the program authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.”.

SEC. 303. APPROVAL OF AGREEMENT WITH MEXICO.

The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, is hereby approved.

SEC. 304. AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

“SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

“(a) AUTHORIZATION.—After the date of enactment of the Bipartisan Budget Act of 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and ensure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

“(b) SUBMISSION TO CONGRESS.—

“(1) IN GENERAL.—No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

“(A) the Speaker of the House of Representatives;

“(B) the Majority Leader of the Senate;

“(C) the Chair of the Committee on Natural Resources of the House of Representatives; and

“(D) the Chair of the Committee on Energy and Natural Resources of the Senate.

“(2) CONTENTS OF SUBMISSION.—The submission shall include—

“(A) any amendments to this Act or other Federal law necessary to implement the agreement;

“(B) an analysis of the economic impacts such agreement and any amendments necessitated by the agreement will have on domestic exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf; and

“(C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

“(c) IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

“(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

“(2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;

“(3) taking actions consistent with an expert determination under the agreement; and

“(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

“(d) SAVINGS PROVISIONS.—Nothing in this section shall be construed—

“(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba or the area known by the Department of the Interior as the ‘Eastern Gap’; or

“(2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.”.

SEC. 305. FEDERAL OIL AND GAS ROYALTY PREPAYMENT CAP.

(a) IN GENERAL.—Section 111(i) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(i)) is amended by striking “(i) Upon” and all that follows through “For purposes” and inserting the following:

“(i) LIMITATION ON INTEREST.—

“(1) IN GENERAL.—Interest shall not be paid on any excessive overpayment.

“(2) EXCESSIVE OVERPAYMENT DEFINED.—For purposes”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2014.

SEC. 306. STRATEGIC PETROLEUM RESERVE.

(a) REPEAL OF AUTHORITY TO ACQUIRE IN-KIND ROYALTY CRUDE OIL.—Section 160(a) of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)) is amended to read as follows:

“(a) The Secretary may acquire, place in storage, transport, or exchange petroleum products acquired by purchase or exchange.”.

(b) RESCISSION OF FUNDS.—Any unobligated balances available in the SPR Petroleum Account in the Treasury on the date of enactment of this section are permanently rescinded.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

SEC. 401. INCREASE IN CONTRIBUTIONS TO FEDERAL EMPLOYEES RETIREMENT SYSTEM FOR NEW EMPLOYEES.

(a) DEFINITION.—

(1) IN GENERAL.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (36), by striking “and” at the end;

(B) in paragraph (37), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(38) the term ‘further revised annuity employee’ means any individual who—

“(A) on December 31, 2013—

“(i) is not an employee or Member covered under this chapter;

“(ii) is not performing civilian service which is creditable service under section 8411; and

“(iii) has less than 5 years of creditable civilian service under section 8411; and

“(B) after December 31, 2013, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.”.

(2) TECHNICAL AMENDMENT.—Section 8401(37)(B) of title 5, United States Code, is amended by inserting “and before January 1, 2014,” after “after December 31, 2012,”.

(b) INCREASE IN INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(1) in subparagraph (A), by inserting “or further revised annuity employees” after “revised annuity employees”; and

(2) by adding at the end the following:

“(C) The applicable percentage under this paragraph for civilian service by further revised annuity employees shall be as follows:

“Employee	10.6	After December 31, 2013.
Congressional employee	10.6	After December 31, 2013.
Member	10.6	After December 31, 2013.
Law enforcement officer, fire- fighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller	11.1	After December 31, 2013.
Nuclear materials courier	11.1	After December 31, 2013.
Customs and border protection officer	11.1	After December 31, 2013.”.

(c) **GOVERNMENT CONTRIBUTIONS.**—Section 8423(a)(2) of title 5, United States Code, is amended—

(1) by striking “(2)” and inserting “(2)(A)”; and

(2) by adding at the end the following:

“(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this subsection shall be determined and applied as if section 401(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

“(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

“(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.”.

(d) **ANNUITY CALCULATION.**—Section 8415(d) of title 5, United States Code, is amended by inserting “or a further revised annuity employee” after “a revised annuity employee”.

SEC. 402. FOREIGN SERVICE PENSION SYSTEM.

(a) **DEFINITION.**—

(1) **IN GENERAL.**—Section 852 of the Foreign Service Act of 1980 (22 U.S.C. 4071a) is amended—

(A) by redesignating paragraphs (8), (9), and (10) as paragraphs (9), (10), and (11), respectively; and

(B) by inserting after paragraph (7) the following:

“(8) the term ‘further revised annuity participant’ means any individual who—

“(A) on December 31, 2013—

“(i) is not a participant;

“(ii) is not performing service which is creditable service under section 854; and

“(iii) has less than 5 years creditable service under section 854; and

“(B) after December 31, 2013, becomes a participant performing service which is creditable service under section 854;”.

(2) TECHNICAL AMENDMENT.—Section 852(7)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4071a(7)(B)) is amended by inserting “and before January 1, 2014,” after “after December 31, 2012,”.

(b) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended—

(1) in subparagraph (A), by inserting “or a further revised annuity participant” after “revised annuity participant”; and

(2) by adding at the end the following:

“(C) The applicable percentage for a further revised annuity participant shall be as follows:

“11.15 After December 31, 2013.”.

(c) GOVERNMENT CONTRIBUTIONS.—Section 857 of the Foreign Service Act of 1980 (22 U.S.C. 4071f) is amended by adding at the end the following:

“(c)(1) Subject to paragraphs (2) and (3), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this section shall be determined and applied as if section 402(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(2) Any contributions under this section in excess of the amounts which (but for paragraph (1)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Foreign Service Retirement and Disability System.

“(3) After the unfunded liability of the Foreign Service Retirement and Disability System has been eliminated, as determined by the Secretary of State, Government contributions under this section shall be determined and made disregarding this subsection.”.

SEC. 403. ANNUAL ADJUSTMENT OF RETIRED PAY AND RETAINER PAY AMOUNTS FOR RETIRED MEMBERS OF THE ARMED FORCES UNDER AGE 62.

(a) CPI MINUS ONE PERCENT.—Section 1401a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraph (2), (3), or (4)”;

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) REDUCED PERCENTAGE FOR RETIRED MEMBERS UNDER AGE 62.—

“(A) IN GENERAL.—Effective on December 1 of each year, the retired pay of each member and former member under 62 years of age entitled to that pay shall be adjusted in accordance with this paragraph instead of paragraph (2) or (3).

“(B) CPI MINUS ONE.—If the percent determined under paragraph (2) is greater than 1 percent, the Secretary shall increase the retired pay of each member and former member by the difference between—

“(i) the percent determined under paragraph (2);
and

“(ii) 1 percent.

“(C) NO NEGATIVE ADJUSTMENT.—If the percent determined under paragraph (2) is equal to or less than 1 percent, the Secretary shall not increase the retired pay of members and former members under this paragraph.

“(D) REVISED ADJUSTMENT UPON REACHING AGE 62.—When a member or former member whose retired pay has been subject to adjustment under this paragraph becomes 62 years of age, the Secretary of Defense shall recompute the retired pay of the member or former member, to be effective on the date of the next adjustment of retired pay under this subsection, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if increases in the retired pay of the member or former member had been computed as provided in paragraph (2) or as specified in section 1410 of this title, as applicable, rather than this paragraph.

“(E) INAPPLICABILITY OF CATCH-UP RULE.—Paragraph (5) shall not apply in the case of adjustments made, or not made, as a result of application of this paragraph.”.

(b) RESTORAL OF FULL RETIREMENT AMOUNT AT AGE 62.—Section 1410(1) of title 10, United States Code, is amended by striking “paragraph (3)” and inserting “paragraph (3) or (4)”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015.

TITLE V—HIGHER EDUCATION

SEC. 501. DEFAULT REDUCTION PROGRAM.

Effective July 1, 2014, section 428F(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–6(a)(1)) is amended—

(1) in subparagraph (A), by striking clause (ii) and inserting the following:

“(ii) beginning July 1, 2014, assign the loan to the Secretary if the guaranty agency has been unable to sell the loan under clause (i).”; and

(2) in subparagraph (D), by striking clause (i) and inserting the following:

“(i) the guaranty agency—

“(I) shall, in the case of a sale made on or after July 1, 2014, repay the Secretary 100 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

“(II) may, in the case of a sale made on or after July 1, 2014, in order to defray collection costs—

“(aa) charge to the borrower an amount not to exceed 16 percent of the outstanding principal and interest at the time of the loan sale; and

“(bb) retain such amount from the proceeds of the loan sale; and”.

SEC. 502. ELIMINATION OF NONPROFIT SERVICING CONTRACTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 456 (20 U.S.C. 1087f)—

(A) in subsection (a), by striking paragraph (4); and

(B) by striking subsection (c); and

(2) in section 458(a) (20 U.S.C. 1087h(a)), by striking paragraph (2).

TITLE VI—TRANSPORTATION

SEC. 601. AVIATION SECURITY SERVICE FEES.

(a) AIR CARRIER FEES.—

(1) REPEAL.—Section 44940(a)(2) of title 49, United States Code, is repealed.

(2) CONFORMING AMENDMENT.—Section 44940(d)(1) of such title is amended by striking “, and may impose a fee under subsection (a)(2),”.

(3) EFFECTIVE DATE.—The repeal made by paragraph (1) and the amendment made by paragraph (2) shall each take effect on October 1, 2014.

(b) RESTRUCTURING OF PASSENGER FEE.—Section 44940(c) of such title is amended to read as follows:

“(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) shall be \$5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States.”.

(c) DEPOSIT OF RECEIPTS IN GENERAL FUND.—Section 44940(i) of such title is amended to read as follows:

“(i) DEPOSIT OF RECEIPTS IN GENERAL FUND.—

“(1) IN GENERAL.—Beginning in fiscal year 2014, out of fees received in a fiscal year under subsection (a)(1), after amounts are made available in the fiscal year under section 44923(h), the next funds derived from such fees in the fiscal year, in the amount specified for the fiscal year in paragraph (4), shall be credited as offsetting receipts and deposited in the general fund of the Treasury.

“(2) FEE LEVELS.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect in a fiscal year at least the amount specified in paragraph (4) for the fiscal year for making deposits under paragraph (1).

“(3) RELATIONSHIP TO OTHER PROVISIONS.—Subsections (b) and (f) shall not apply to amounts to be used for making deposits under this subsection.

“(4) FISCAL YEAR AMOUNTS.—For purposes of paragraphs (1) and (2), the fiscal year amounts are as follows:

“(A) \$390,000,000 for fiscal year 2014.

- “(B) \$1,190,000,000 for fiscal year 2015.
- “(C) \$1,250,000,000 for fiscal year 2016.
- “(D) \$1,280,000,000 for fiscal year 2017.
- “(E) \$1,320,000,000 for fiscal year 2018.
- “(F) \$1,360,000,000 for fiscal year 2019.
- “(G) \$1,400,000,000 for fiscal year 2020.
- “(H) \$1,440,000,000 for fiscal year 2021.
- “(I) \$1,480,000,000 for fiscal year 2022.
- “(J) \$1,520,000,000 for fiscal year 2023.”.

(d) IMPOSITION OF FEE INCREASE.—The Secretary of Homeland Security shall implement the fee increase authorized by the amendment made by subsection (b)—

(1) beginning on July 1, 2014; and

(2) through the publication of notice of such fee in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

(e) CONTINUED AVAILABILITY OF EXISTING BALANCES.—The amendments made by this section shall not affect the availability of funds made available under section 44940(i) of title 49, United States Code, before the date of enactment of this Act.

SEC. 602. TRANSPORTATION COST REIMBURSEMENT.

(a) REPEAL.—Sections 55316 and 55317 of chapter 553 of title 46, United States Code, are repealed.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 553 of title 46, United States Code, is amended by striking the items relating to section 55316 and 55317.

SEC. 603. STERILE AREAS AT AIRPORTS.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

“(n) PASSENGER EXIT POINTS FROM STERILE AREA.—

“(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of airports at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

“(2) STERILE AREA DEFINED.—In this section, the term ‘sterile area’ has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).”.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “October 22, 2021” and inserting “September 30, 2023”; and

(2) in subparagraph (B)(i), by striking “October 29, 2021” and inserting “September 30, 2023”.

SEC. 702. LIMITATION ON ALLOWABLE GOVERNMENT CONTRACTOR COMPENSATION COSTS.

(a) **LIMITATION.**—

(1) **CIVILIAN CONTRACTS.**—Section 4304(a)(16) of title 41, United States Code, is amended to read as follows:

“(16) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(2) **DEFENSE CONTRACTS.**—Section 2324(e)(1)(P) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **REPEAL.**—Section 1127 of title 41, United States Code, is hereby repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 11 of title 41, United States Code, is amended by striking the item relating to section 1127.

(c) **APPLICABILITY.**—This section and the amendments made by this section shall apply only with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

(d) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 60 days after the end of each fiscal year, the Director of the Office of Management and Budget shall submit a report on contractor compensation to—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Oversight and Government Reform of the House of Representatives;

(E) the Committee on Appropriations of the Senate;

and

(F) the Committee on Appropriations of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) the total number of contractor employees, by executive agency, in the narrowly targeted exception positions described under subsection (a) during the preceding fiscal year;

(B) the taxpayer-funded compensation amounts received by each contractor employee in a narrowly targeted exception position during such fiscal year; and

(C) the duties and services performed by contractor employees in the narrowly targeted exception positions during such fiscal year.

(e) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall report to Congress on alternative benchmarks and industry standards for compensation, including whether any such benchmarks or standards would provide a more appropriate measure of allowable compensation for the purposes of section 2324(e)(1)(P) of title 10, United States Code, and section 4304(a)(16) of title 41, United States Code, as amended by this Act.

SEC. 703. PENSION BENEFIT GUARANTY CORPORATION PREMIUM RATE INCREASES.

(a) FLAT-RATE PREMIUM INCREASES.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended—

(1) in subclause (II), by striking “and” at the end;

(2) in subclause (III), by inserting “and before January 1, 2015,” after “December 31, 2013”; and

(3) by inserting after subclause (III) the following:

“(IV) for plan years beginning after December 31, 2014, and before January 1, 2016, \$57; and

“(V) for plan years beginning after December 31, 2015, and before January 1, 2017, \$64.”

(b) FLAT-RATE PREMIUM RATE INDEXED TO WAGES.—

(1) IN GENERAL.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) by redesignating subparagraphs (G) through (J) as subparagraphs (H) through (K), respectively; and

(B) by inserting after subparagraph (F) the following:

“(G) For each plan year beginning in a calendar year after 2016, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying the premium rate specified in clause (i) of subparagraph (A) by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) the premium rate in effect under clause (i) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(3)(F) of such Act (29 U.S.C. 1306(a)(3)(F)) is amended—

(A) in the matter before clause (i), by inserting “and before 2013” after “after 2006”; and

(B) in the flush text following clause (ii), by striking the second sentence.

(c) VARIABLE RATE PREMIUM INCREASES.—

(1) IN GENERAL.—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in clause (i), by striking “and” at the end;

(B) in clause (ii), by striking “\$5.” and inserting “\$10; and”; and

(C) by adding at the end the following:

“(iii) in the case of plan years beginning in calendar year 2016, by \$5.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) for plan years beginning after calendar year 2016, the amount in effect for plan years beginning in 2016 (determined after application of subparagraph (C)).”; and

(B) in subparagraph (D)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) 2014, in the case of plan years beginning after calendar year 2016.”.

(d) INCREASE IN VARIABLE RATE PREMIUM CAP.—

(1) IN GENERAL.—Section 4006(a)(3)(E)(i) of such Act (29 U.S.C. 1306(a)(3)(E)(i)) is amended—

(A) in subclause (I), by striking “and” at the end;

(B) in subclause (II)—

(i) by inserting “and before 2016” after “2012”; and

(ii) by striking the period at the end and inserting “and”; and

(C) by adding at the end the following:

“(III) in the case of plan years beginning in a calendar year after 2015, shall not exceed \$500.”.

(2) INDEX TO WAGES.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) in subparagraph (K) (as redesignated by subsection (b)(1)(A)), by inserting “and before 2016” after “2013”; and

(B) by inserting at the end the following:

“(L) For each plan year beginning in a calendar year after 2016, there shall be substituted for the dollar amount specified in subclause (III) of subparagraph (E)(i) an amount equal to the greater of—

“(i) the product derived by multiplying such dollar amount by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2013.

SEC. 704. CANCELLATION OF UNOBLIGATED BALANCES.

(a) DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of Justice Assets Forfeiture Fund, \$693,000,000 are permanently cancelled.

(b) TREASURY FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of the Treasury Forfeiture Fund, \$867,000,000, are permanently cancelled.

SEC. 705. CONSERVATION PLANNING TECHNICAL ASSISTANCE USER FEES.

(a) USER FEES AUTHORIZED.—Section 3 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590c) is amended—

(1) by striking “require—” and inserting “require the following:”;

(2) in paragraph (1), by striking the semicolon at the end and inserting a period;

(3) in paragraph (2), by striking “; and” at the end and inserting a period; and

(4) by adding at the end the following:

“(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

“(i) reasonable and appropriate;

“(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

“(iii) assessed based on the size of the land or the complexity of the resource issues involved.

“(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

“(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

“(i) to beginning farmers or ranchers (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a));

“(ii) to limited resource farmers or ranchers (as defined by the Secretary);

“(iii) to socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e));

“(iv) to qualify for an exemption from ineligibility under section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); or

“(v) to comply with Federal, State, or local regulatory requirements.”

(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—Section 6 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590f) is amended—

(1) by striking “sec. 6.” and all that follows through “There are hereby authorized” and inserting the following:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CONSERVATION TECHNICAL ASSISTANCE FUNDS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized”; and

(2) by adding at the end the following:

“(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—

“(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘Conservation Technical Assistance Fund’ (referred to in this subsection as the ‘Fund’), to be administered by the Secretary of Agriculture.

“(2) DEPOSITS.—An amount equal to the amounts collected as fees under section 3(4) and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31, United States Code, shall be deposited in the Fund.

“(3) AVAILABILITY.—Amounts in the Fund shall—

“(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

“(B) be used for the costs of carrying out this Act; and

“(C) remain available until expended.”

SEC. 706. SELF PLUS ONE COVERAGE.

(a) ELECTION OF COVERAGE.—Section 8905 of title 5, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) An employee may enroll in an approved health benefits plan described in section 8903 or 8903a—

“(1) as an individual;

“(2) for self plus one; or

“(3) for self and family.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter following subparagraph (B), by inserting “for self plus one or” before “self and family as provided in paragraph (2) of this subsection”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “for self plus one or” before “for self and family”; and

(ii) in subparagraph (B), by inserting “(or, in the case of self plus one coverage, not more than 1 such child)” after “adopted children”;

(3) in subsection (e), by striking “or each spouse may enroll as an individual” and inserting “or for a self plus one enrollment that covers the spouse, or each spouse may enroll as an individual or for a self plus one enrollment that does not cover the other spouse or a child who is covered under the enrollment of the other spouse”; and

(4) in subsection (h)—

(A) by striking “self and family enrollment” each place it appears and inserting “self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,”;

(B) by striking “a child” each place it appears and inserting “1 or more children”;

(C) by striking “the child resides” each place it appears and inserting “the child or children reside”;

(D) in paragraph (1), by striking “self and family coverage” each place it appears and inserting “self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order,”; and

(E) in paragraph (3), by striking “the child continues” and inserting “the child or children continue”.

(b) CONTINUED COVERAGE.—Section 8905a of title 5, United States Code, is amended—

(1) in subsection (d)(3)(A), by inserting “for self plus one or” before “for self and family”; and

(2) in subsection (f)(3)(A), by striking “for self and family based on such person’s separation from service” and inserting “based on such person’s separation from service under a self plus one enrollment that covered the individual or under a self and family enrollment”.

(c) CONTRIBUTIONS.—Section 8906(a)(1) of title 5, United States Code is amended—

(1) in subparagraph (A), by striking at the end “and”;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

“(B) enrollments under this chapter for self plus one; and”.

(d) WEIGHTED AVERAGE FOR FIRST YEAR.—For the first contract year for which an employee may enroll for self plus one coverage under chapter 89 of title 5, United States Code, the Office of Personnel Management shall determine the weighted average of the subscription charges that will be in effect for the contract year for enrollments for self plus one under such chapter based on an actuarial analysis.

**DIVISION B—MEDICARE AND OTHER HEALTH
PROVISIONS⁴**

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title—This division may be cited as the ‘Pathway for SGR Reform Act of 2013’.

* * * * *

SEC. 1205. REALIGNMENT OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2023.

Paragraph (6) (relating to implementing direct spending reductions, as redesignated by section 101(d)(2)(C), and as amended by section 101(c), of the Bipartisan Budget Act of 2013) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following new subparagraph:

“(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

“(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

“(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 1.11 percent.”.

* * * * *

⁴Except for Sections 1001(a) and 1205, all other parts of Division B, the Pathway for SGR Reform Act of 2013, have been omitted.

Legislative Text of H.R. 3547

Consolidated Appropriations Act, 2014

[Public Law 113-76]

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘Consolidated Appropriations Act, 2014’.

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**DIVISION C—DEPARTMENT OF
DEFENSE APPROPRIATIONS ACT, 2014**

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**TITLE X—MILITARY DISABILITY RETIREMENT AND
SURVIVOR BENEFIT ANNUITY RESTORATION**

**SEC. 10001. INAPPLICABILITY OF ANNUAL ADJUSTMENT OF RETIRED
PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE
AGE OF 62 UNDER THE BIPARTISAN BUDGET ACT OF 2013
TO MEMBERS RETIRED FOR DISABILITY AND TO RETIRED
PAY USED TO COMPUTE CERTAIN SURVIVOR BENEFIT
PLAN ANNUITIES.**

(a) INAPPLICABILITY—Paragraph (4) of section 1401a(b) of title 10, United States Code, as added by section 403(a) of the Bipartisan Budget Act of 2013, is amended—

(1) in subparagraph (A), by inserting after ‘age’ the following: ‘(other than a member or former member retired under chapter 61 of this title)’; and

(2) by adding at the end the following new subparagraph:

‘(F) INAPPLICABILITY TO AMOUNT OF RETIRED PAY USED IN COMPUTATION OF SBP ANNUITY FOR SURVIVORS—In the computation pursuant to subsection (d) or (f) of section 1448 of this title of an annuity for survivors of a member or person who dies while subject to the application of this paragraph, the amount of the retired pay of such member or person for purposes of such computation shall be the amount of retired pay that would have been payable to such member or person at the time of death without regard to the application of this paragraph.’

(b) CONFORMING AMENDMENTS—

(1) COMBAT-RELATED SPECIAL COMPENSATION—Section 1413a(b)(3) of title 10, United States Code, is amended—

(A) in subparagraph (A), by inserting ‘, with adjustment under paragraph (2) of section 1401a(b) of this title

to which the member would have been entitled (but without the application of paragraph (4) of such section),’ after ‘under any other provision of law’; and

(B) in subparagraph (B), by striking ‘whichever is applicable to the member.’ and inserting ‘with adjustment under paragraph (2) of section 1401a(b) of this title to which the member would have been entitled (but without the application of paragraph (4) of such section), whichever is applicable to the member.’

(2) CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS’ DISABILITY COMPENSATION—Section 1414(b)(1) of such title is amended by inserting ‘(but without the application of section 1401a(b)(4) of this title)’ after ‘under any other provision of law’.

(3) PREVENTION OF COLA INVERSIONS—Section 1401a(f)(2) of title 10, United States Code, is amended by inserting ‘or subsection (b)(4)’ after ‘subsection (b)(2)’.

(c) EFFECTIVE DATE—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015, immediately after the coming into effect of section 403 of the Bipartisan Budget Act of 2013 and the amendments made by that section.

(d) EXCLUSION OF BUDGETARY EFFECTS FROM PAYGO SCORECARDS—

(1) STATUTORY PAY-AS-YOU-GO SCORECARDS—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(2) SENATE PAYGO SCORECARDS—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

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Appendices

Appendix A—Colloquies During Debate on H.J. Res. 59

Colloquy Related to Not-for-Profit Student Loan Servicing

CONGRESSIONAL RECORD—HOUSE, DECEMBER 12, 2013, PAGE H8075

(The Speaker Pro Tempore recognized Chairman Paul Ryan (WI) for two minutes for the purpose of this colloquy)

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Iowa (Mr. Latham) for the purposes of a colloquy.

Mr. LATHAM. Mr. Speaker, I yield to the gentleman from Vermont (Mr. Welch).

Mr. WELCH. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Wisconsin regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013.

Is it your understanding and intent that the not-for-profit servicing provision in this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

And is it the further understanding and intent of the gentleman from Wisconsin that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman from Iowa yield?

Mr. LATHAM. I yield to the gentleman.

Mr. RYAN of Wisconsin. Mr. Speaker, yes, it is the legislative intent that existing contracts to use the services for not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts.

Mr. LATHAM. Mr. Speaker, I associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Mr. KLINE. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Speaker, I also rise to associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Colloquy Related to the Death Master File

CONGRESSIONAL RECORD—SENATE, DECEMBER 17, 2013,
PAGE S8890—S8891

(The Presiding Officer recognized Senator Murray (WA) to engage in this colloquy)

Mr. NELSON.

* * * * *

I would like to take a moment to acknowledge a small but significant provision in this budget compromise. It is section 203 of the Budget Act of 2013, and it limits access to what is known as Social Security's Death Master File, which is important because criminals utilize fraudulently the Death Master File to steal people's identities.

When someone dies, the Social Security Administration puts their information into the Death Master File and releases it to the public through the Commerce Department. It lists their name, their Social Security number, and other personal identification information.

The public release shortly after death of the Death Master File came about as a result of a Freedom of Information Act lawsuit back in the 1980s. Over time, Federal agencies and industries came to rely on the information from the Death Master File. Life insurers use it to know when to pay out benefits. Banks and credit card companies use information from the file to prevent fraud. A whole host of Federal and State agencies, as well as other industries, depend on the information for legitimate purposes, including pension funds, unclaimed property auditors, and identity theft protection companies.

But there is somebody else who is using the Death Master File too. It is the criminals who are stealing identities, including especially the Social Security number. When that is posted online, they are using it fraudulently. What are they doing? They are filing an income tax return. They are utilizing somebody else's identity—in this case easily accessible, the Death Master File—creating a false return and getting a tax refund.

You may find this hard to believe, but this actually happened in Tampa, FL. Street crime—hijackings, stickups, burglaries, dope dealing—actually dropped because the criminals found a new way of being able to steal people's money. They did it with a laptop instead of with a crowbar or a gun. Street crime actually reduced because the criminals have found a new way.

They would steal people's identities in many different ways. They would go to senior citizens' mailboxes, and they would get their ID, they would get their Social Security number. They would go through hospital records, and they would get Social Security numbers. They would do it a number of ways. But one of the easiest ways was this Death Master File.

I want to tell you about the story of Alexis Agin, the daughter of two courageous parents John and Neely, who have joined us today. Tragically, Alexis died from cancer 2 weeks shy of her 5th birthday. Obviously, no parent should have to go through the pain

of seeing their child go through this kind of ordeal and then losing the child.

So you can imagine how they felt when months later they learned that someone had used Alexis' identity, obtained from the Death Master File, to file a fraudulent tax return, claiming a refund, and the IRS—when they tried to correct this—asked them to prove that Alexis was their daughter and was not the one responsible for the fraudulent tax return.

Because I have heard so many stories of innocent Americans whose identities have been stolen, this Senator filed this legislation that would restrict access to the Death Master File by establishing a certification program run by the Commerce Department while still allowing access to the Death Master File for legitimate purposes.

This brings us to the budget agreement. I am very pleased that the Senator from Washington has included within this budget that we are going to pass—it would be nice if it were today, but it looks as if it is going to be tomorrow—what some of us have been calling on for years: restricting access to this master file, making it harder for criminals to steal identities and therefore making it harder to steal taxpayer money.

That is where this actually has a revenue effect because we are going to actually save the U.S. Government money by doing this. We are going to save the U.S. Government money that otherwise would be stolen. So I thank the courageous chairman of the Budget Committee for including this idea in the act and for crafting what used to be S. 676, the Identity Theft and Tax Fraud Prevention Act.

It was never the intent of this Senator or the cosponsors to deny access to the master file by the people who need it for legitimate purposes. The language in this budget deal would include the file in the Freedom of Information Act exemptions so that it will not be available to just anyone off the street. However, the Social Security Administration and Commerce would still be able to release the information in the file for those who need it.

So I want to ask the distinguished chair of the committee whether is it true that as Commerce sets up a certification program, the Social Security Administration and Commerce will still be able to release the Death Master File to folks who need to use it for legitimate purposes?

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would ask unanimous consent to engage in a colloquy with the Senator from Florida and the Senator from Pennsylvania so I may respond.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. The Senator from Florida is correct. That is absolutely our intention. There is nothing in law that prevents the continued public release of the Death Master File while the Commerce Department sets up the certification program. This act simply exempts the Social Security Administration's death records from freedom of information requests under section 552 of title 5 of the United States Code, subsection (b).

Mr. CASEY. Mr. President, echoing the comments of my colleague from Florida, I am pleased that the budget includes language to ad-

dress the fraud that is perpetrated with information from the Death Master File. Tax fraud is a large and growing problem. We know that. In 2012, for example, the IRS reported that they identified over 1.2 million identity theft returns. As of June 2013, they identified 1.6 million for this year. Thousands of these cases involve the identities of deceased taxpayers. A recent audit of the 2011 tax year identified 19,000 fraudulent returns from recently deceased taxpayers. Under current practice, for \$10, criminals can purchase the full name, Social Security number, date of birth, and date of death of a deceased citizen or legal resident.

As a member of the Finance Committee, I have worked with my colleagues to address this issue. I am pleased to see the language limiting access to the Death Master File in the budget deal.

As Commerce begins its rulemaking, it is essential to strike the correct balance. The reality is that the Death Master File is used by companies across Pennsylvania and the Nation to prevent fraud and provide other essential consumer protections. Banks, investment companies, insurers, and numerous other businesses run this file to ensure the identity of those accessing their services. Striking the correct balance in the regulatory process is critical to ensuring the continued legitimate use of this information.

Businesses and those who contract for assistance with fraud prevention and other businesses must maintain access to the file. Furthermore, access must remain available as those regulations are promulgated.

In short, as a certification program is set up, it is important that we get it right. The Death Master File is critical to fraud prevention and must remain available to legitimate users. To that point, I ask the Senator from Washington, the distinguished chairwoman, is it the intention of the Bipartisan Budget Act for the Commerce Department to seek input from stakeholders as it creates the certification program to ensure legitimate users maintain access to the file?

Mrs. MURRAY. Mr. President, the Senator from Pennsylvania is correct. We intended for Commerce to follow notice-and-comment rulemaking procedures in the establishment of the certification program.

Mr. NELSON. Mr. President, I want to close by again thanking the distinguished chairwoman of the committee. She has been a quiet hero, and the proof is in the pudding of all of her labors. She deserves the praise of the country that we have a budget, No. 1, but I also thank her for making it a lot more difficult for criminals to steal the identities of those who have passed on.

Colloquy Related to Transboundary Agreements

CONGRESSIONAL RECORD—SENATE, DECEMBER 17, 2013, PAGE S8898

Mr. MENENDEZ. Mr. President, I want to briefly discuss Section 304 of the Bipartisan Budget Act of 2013, which contained an amendment to the Outer Continental Shelf Lands Act. I was disappointed to see that the amended Section 32 requires submissions regarding future transboundary hydrocarbon agreements be made to the Speaker of the House, the Senate Majority Leader, the chair of the Committee on Natural Resources of the House of Represent-

atives, and the chair of the Committee on Energy and Natural Resources in the Senate. This language fails to mention the Senate Foreign Relations Committee, an omission I find curious in light of the Foreign Relations Committee's jurisdiction over international agreements. I would like to yield to my colleague from Washington in order to clarify that this language was not intended to negate the Foreign Relations Committee's jurisdiction of transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the Senator for his question, and I appreciate his leadership as Chairman of the Senate Foreign Relations Committee. I understand his concerns and can assure him that the language in the Bipartisan Budget Act of 2013 was not intended to alter or negate the Foreign Relation Committee's jurisdiction.

Mr. MENENDEZ. I thank the Senator from Washington for her response, and I appreciate the tremendous work she has done to arrive at a budget agreement. Due to the importance of this issue, I want to seek additional confirmation of this point. The February 20, 2012 Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico went through the Senate Committee on Energy and Natural Resources with the approval of the Senate Foreign Relations Committee because the implementing legislation was narrow and addressed the ability of the Department of the Interior to carry out the agreement. However, the Foreign Relations Committee engaged in robust oversight of this agreement in meetings with high-ranking officials at the Department of State and the Department of the Interior, including the submission of a detailed letter with several questions, which received a lengthy response. These actions reflect the Senate Foreign Relations Committee's intention to retain oversight of transboundary hydrocarbon agreements, and to reserve the right to draft and oversee implementing legislation for future transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the chairman of the Senate Foreign Relations Committee. It is quite clear by the extensive work the committee has done on the U.S.-Mexico Transboundary Hydrocarbon Agreement that the committee has an expertise in international agreements and should play an integral role in the oversight of future transboundary hydrocarbon agreements. The language in the Bipartisan Budget Act was not intended to undermine the Senate Foreign Relations Committee's jurisdiction with respect to any matter that would be properly before it.

Mr. MENENDEZ. I thank the chair of the Budget Committee for her responses.

Colloquy Related to Not-for-Profit Loan Servicing

CONGRESSIONAL RECORD—SENATE, DECEMBER 17, 2013,
PAGE S8898–S8899

Mr. SANDERS. Mr. President, I rise to enter into a colloquy with the chairman of the Budget Committee, Senator MURRAY, and several of my colleagues regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013. Is it your understanding and intent that the not-for-profit servicing provision in

this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

Is it further the understanding and intent of the chairman of the Senate Budget Committee that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mrs. MURRAY. Mr. President, the Senator from Vermont is correct. It is my intent that existing contracts to use the services of not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts. I know several of my colleagues also feel strongly about this issue. I would like to recognize the following Senators to also join in on the colloquy: Senators LEAHY, HARKIN, ALEXANDER, HATCH, SHAHEEN, BEGICH, GRASSLEY, KING, BAUCUS, TESTER, and MURKOWSKI.

Mr. LEAHY. Mr. President, if I may join in this colloquy, I am glad for the clarification from the senior Senator from Washington and am pleased to know it is her legislative intent for the Department of Education to continue to use not-for-profit servicers and maintain their existing contracts and that not-for-profit servicers will be permitted to compete in the future for additional accounts. Like other notfor-profits around the country, the Vermont Student Assistance Corporation, VSAC, has provided counseling services and low-cost loans to students and Vermonters for more than 40 years. Since then, VSAC has worked hard to establish and maintain strong and longstanding working relationships with Vermont's higher education institutions, as well as K-12 schools, to provide outreach programs critical to the economic vitality of Vermont. In their new role servicing Federal loans, VSAC has consistently received praise from their customers and scored high in customer satisfaction surveys. In fact, when Congress switched to direct lending we ensured that not-for-profit servicers would continue to service Federal loans because of the superior customer service experience that not-for-profits servicers have consistently provided. I am glad that Congress is continuing to recognize the importance of not-for-profit servicers in our communities and intends to allow for their continued role of servicing Federal loans and helping more students gain access to college and more students to complete their degrees.

Mr. HARKIN. Mr. President, as chairman of the Health, Education, Labor and Pensions Committee, which holds jurisdiction over the servicing of our Federal student loan programs, it is my understanding that the intent of the budget agreement is to allow for the continuation of the existing notfor-profit servicer contracts and that they will be permitted to compete based on performance with the Department of Education's title IV servicers for additional accounts, so that students receive the best possible service and taxpayer funds are used efficiently.

Mr. ALEXANDER. Mr. President, I thank the Senator from Vermont for engaging in this dialogue and appreciate the Senator from Washington clarifying that it is the intent of the budget measure for the Department of Education to continue to use not-for-profit servicers for the Federal loan program and that these entities

should be permitted to compete for additional loan volume in the future.

Mr. HATCH. Mr. President, I thank the Senator from Vermont and the Senator from Washington for providing clarification on this issue. I am happy to hear that the legislative intent of the budget deal is to continue the use of the not-for-profit student loan servicers and that they will be permitted to compete in the future for additional accounts.

Mrs. SHAHEEN. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that not-for-profit servicers, like the New Hampshire Higher Education Loan Corporation and the NHHEAF Network, will be able to continue their important work and that they will be able to compete in the future for additional accounts. For over 50 years, the New Hampshire Higher Education Loan Corporation and the NHHEAF Network have provided critical college access, financial education, and default-prevention programs to students in New Hampshire and across the country. The New Hampshire Higher Education Loan Corporation's dedicated staff services a national portfolio over 250,000 borrowers, helping them to manage repayment of almost \$5 billion in student loans. These professionals play a uniquely important role in helping students to succeed in postsecondary education, and I am pleased that it is the Senator from Washington's intent to allow them to continue their work.

Mr. BEGICH. Mr. President, I rise as well to thank the senior Senator from Washington for her insight and to echo the comments from my colleagues, especially my good friend from Alaska.

The not-for-profit student loan servicer in my State, the Alaska Student Loan Corporation, does an outstanding job of servicing student loans. They take a proactive and supportive role with the accounts they receive from the Department, and I want to ensure they will be able to continue to participate in this important program. I was pleased to learn that the chairman's intent in including this language was not to exclude not-for-profit servicers from competing for additional servicing accounts.

Mr. GRASSLEY. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete on an equal basis in the future for additional accounts.

Mr. KING. Mr. President, I wish to associate myself with the comments of the senior Senator from Washington. I am pleased to know that it is her intent that the work of not-for-profit servicers advances and that they will continue to be allowed to compete for additional accounts in the future. In Maine, two not-for-profit servicers, the Finance Authority of Maine and Maine Education Services, provide essential services to Maine students through financial literacy education and the servicing of Federal student loans. Indeed, not-for-profit servicers do meaningful work across the country, and I am glad to know it is the Senate Budget Committee Chairman's intent to continue to allow these State agencies and nonprofits to play a role in servicing federal student loans.

Mr. BAUCUS. Mr. President, I would also like to associate myself with the senior Senator from Washington, my colleague from Vermont, and my colleague from Montana. Our Montana servicer, the Student Assistance Foundation, provides vital services to Montana students by delivering financial aid education, scholarships, and grants. I am therefore pleased to know it is the intent of the chairman of the Senate Budget Committee that not-for-profit student loan servicers will continue to play a role in the servicing market and will be permitted to compete for future servicing contracts.

Mr. TESTER. Mr. President, I rise to share in this important discussion and would also like to associate myself with the comments of the senior Senator from Washington and my colleague from Montana. The Student Assistance Foundation is a strong employer in Montana, representing nearly 200 jobs, and I am pleased to know it is the chair of the Budget Committee's intent that the use of not-for-profit servicers continues. I am also pleased that not-for-profit servicers, such as the Student Assistance Foundation, will be permitted to compete in the future for additional accounts.

Ms. MURKOWSKI. Mr. President, I am pleased to know it is the intent of the chairman of the Senate Budget Committee—the chief Senate negotiator for the Bipartisan Budget Act—that nonprofit servicers will continue to play an important role in servicing Federal student loans, both now and in the future. I strongly support this intent and the vital public service role that nonprofit and State agency servicers have played in Federal student loan programs on behalf of Federal student loan borrowers and the American public. I will be one of those who will expect the Department to pay close attention to congressional intent in this matter. I also look forward to working with my colleagues on both the Senate Health, Education, Labor and Pensions Committee and the Appropriations Committee to ensure that this intent is carried out.

Ms. COLLINS. Mr. President, I would like to thank the chairman of the Senate Budget Committee, who coauthored this legislation, for clarifying that it is not the intent of the bill's authors to require that existing contracts with not-for-profit student loan servicers be canceled and that such servicers will continue to be able to compete for additional Department of Education contracts in the future. Not-for-profit servicers provide students in Maine and across the country with important financial counseling services, and I am pleased to know that they will continue to be allowed to compete to perform this work under this legislation.

*Colloquy Related to Reserve Funds/Section 114(c)
of the BBA of 2013*

CONGRESSIONAL RECORD—SENATE, JANUARY 7, 2014, PAGE S67

Mrs. MURRAY. Madam President, I rise to enter into a colloquy with the Senator from Ohio, Mr. PORTMAN, to discuss section 114(c) of the Bipartisan Budget Act of 2013, which establishes a deficit-neutral reserve fund to replace sequestration.

Before I turn to Senator PORTMAN for his questions, I would like to note that the Senate has relied on reserve funds for nearly 30 years to help it carry out its priorities as part of the annual budget

process. In fact, during debate on the 2014 budget resolution, the Senate considered or filed over 300 reserve funds. These included multiple amendments from Members of both parties to create new reserve funds. This particular reserve fund, section 114(c), was included and voted on as part of both the Senate Budget Committee-reported resolution and the Senate-passed budget resolution.

I would now like to turn to my colleague for his questions.

Mr. PORTMAN. I would like to thank the chairman of the Budget Committee for the opportunity to engage in this colloquy with her. As I understand it, the intent of the reserve fund under section 114(c) is to be available to adjust certain budgetary levels for deficit-neutral legislation that would replace sequestration. Do I have that correct?

Mrs. MURRAY. Yes, the bipartisan budget agreement reached between the House and Senate replaces some of the sequester cuts that otherwise would occur in 2014 and 2015. By avoiding sequestration and reaching agreement on bipartisan funding levels for 2014 and 2015, this agreement will provide relief to our families, servicemembers, and the economy. Sequestration, however, continues to remain in place, unmodified, for fiscal years 2016 through 2021. Assuming legislation met the necessary requirements specified in section 114(c), this reserve fund would be available to further address the harmful effects of sequestration.

Mr. PORTMAN. I thank the chairman for her response. There is a concern that the reserve fund in section 114(c) could deprive the minority of an opportunity to require 60 votes for legislation that would modify the statutory limits on discretionary spending and pay for some or all of that cost with new revenue. Is that concern accurate?

Mrs. MURRAY. I thank the Senator for his question. No, that concern is not accurate. While a useful tool to help the Senate carry out its priorities under the budget process, a reserve fund is limited in what it allows me to do, in my capacity as chairman of the Budget Committee. In general, for legislation that meets the required criteria, reserve funds allow me to revise the levels adopted in a budget resolution and enforced in the Senate, such as committee allocations and the budgetary aggregates.

A reserve fund, however, does not have any impact on the standing rules of the Senate, including the cloture process and the need for 60 votes to end debate. Nothing in the Bipartisan Budget Act would change that process.

A reserve fund also does not waive budget points of order. I can use a reserve fund to revise the committee allocations and budgetary aggregates, such that legislation that meets the criteria of the reserve fund, including deficit neutrality, can be brought into compliance with the allocations and aggregates. But, it does not allow me to waive budget points of order that still may lie against the legislation following the reserve fund adjustment. Budget points of order generally can only be waived by unanimous consent or with 60 votes. Nothing in the Bipartisan Budget Act would change that.

Further, the Senator from Ohio proposed the specific hypothetical example of legislation that would increase the statutory limits on discretionary spending and offset some or all of those

costs with new revenue. Recognizing this is a hypothetical scenario, I believe in that situation the legislation would be subject to a 60-vote point of order for violating section 306 of the Congressional Budget Act, which creates a point of order against legislation dealing with matters within the jurisdiction of the Budget Committee that has not been reported out of the Budget Committee. Ultimately, the Parliamentarian of the Senate determines whether points of order under section 306 lie against legislation, but legislation to alter the statutory limits in discretionary spending has historically been within the jurisdiction of the Budget Committee. A reserve fund would have no impact on a section 306 point of order and nothing in the Bipartisan Budget Act would change that.

In addition, legislation increasing the statutory caps on discretionary spending above the existing levels, as the Senator from Ohio outlines in his question, would also violate section 312(b) of the Congressional Budget Act, which prohibits consideration of legislation that would exceed any of the statutory limits on discretionary spending. The reserve fund in 114(c), like other reserve funds, deals only with Senate enforcement and would have no impact on that point of order. Again, nothing in the Bipartisan Budget Act would change that.

Finally, I would suggest to my colleague that legislation originating in the Senate rather than in the House of Representatives that raises revenue would likely be subject to a "blue slip" and returned back to the Senate by the House of Representatives. Again, nothing in the Bipartisan Budget Act would change that process.

Mr. PORTMAN. I thank the Chairman for her answer. I understand that we were discussing a hypothetical example. I thank her for engaging with me in this colloquy.

Appendix B—Statements for the Congressional Record

The following statements regarding provisions of the Bipartisan Budget Act of 2013 were submitted for the Congressional Record, (113th Congress).

CONGRESSIONAL RECORD: HOUSE, DECEMBER 12, 2013,
PAGE: H8066-8067

STATEMENT FOR THE RECORD BY HON. PAUL D. RYAN, CHAIRMAN,
COMMITTEE ON THE BUDGET, ON THE BIPARTISAN BUDGET ACT OF
2013

Section 203 restricts access to the Death Master File, DMF, which is a list of deceased individuals maintained by the Social Security Administration.

This provision charges the Secretary of Commerce with establishing a program to restrict access to the information contained on the DMF for a three-year period beginning on the date of an individual's death, except to persons who are certified under the program. Under the program, persons certified by the Secretary of Commerce to have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under significant safeguards may continue to access DMF information on a current basis. The provision also provides for penalties in cases of unauthorized disclosures or uses of DMF information by certified persons. Finally, the provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

In implementing this section, the Department of Commerce should promulgate regulations establishing and providing guidelines for the certification program and provide sufficient time for legitimate current users of DMF information to comment on the regulations, especially as it relates to the timing of the effectiveness of this Section and as it relates to the authority to release the Death Master File to the public.

CONGRESSIONAL RECORD: HOUSE, DECEMBER 19, 2013, PAGE: E1906

Mr. RYAN of Wisconsin. Mr. Speaker, Section 401 creates a new category of employee called a "Further Revised Annuity Employee" and would require Further Revised Annuity Employees to con-

tribute additional amounts into the CRSDF.⁵ It is the intent of Congress for OPM to create a new normal cost for the Further Revised Annuity Employees, and to ensure that the retirement plan not be underfunded.

Additionally, it is the intent that for the new Further Revised Annuity Employee Plan that the only determinant of whether an individual is a FERS employee or Member, as opposed to a FERS Revised Annuity Employee or FERS Further Revised Annuity Employee, is through application of the FERS Revised Annuity Employee test. And that the new Further Revised Annuity Employee test only differentiates between FERS Revised Annuity Employee coverage and new FERS Further Revised Annuity Employee coverage.

CONGRESSIONAL RECORD: SENATE, DECEMBER 17, 2013, PAGE: S8898

Mrs. MURRAY. Mr. President, Section 401 of the Bipartisan Budget Act of 2013 creates a new category of employee called a further revised annuity employee and would require further revised annuity employees to contribute additional amounts into the Civil Service Retirement and Disability Fund. It is the intent of Congress for the Office of Personnel Management to create a new normal cost for the further revised annuity employees, and to ensure that the retirement plan not be underfunded.

Additionally, it is the intent that for the new further revised annuity employee plan that the only determinant of whether an individual is a Federal Employee Retirement System, FERS, employee or Member, as opposed to a FERS revised annuity employee or FERS further revised annuity employee, is through application of the FERS revised annuity employee test. And that the new further revised annuity employee test only differentiates between FERS revised annuity employee coverage and new FERS further revised annuity employee coverage.

⁵A typographical error in the Congressional Record had this acronym misspelled—should be “CSRDF” (Civil Service Retirement and Disability Fund).

Appendix C

COMMITTEE ON CONFERENCE ON THE CONCURRENT RESOLUTION ON THE BUDGET

SENATE CONCURRENT RESOLUTION 8—LIST OF CONFEREES

Conferees of the House of Representatives

The Speaker of the House appointed conferees for the House on October 16, 2013

Rep. Paul Ryan (WI) (Chairman of the Conference)
Rep. Tom Cole (OK)
Rep. Tom Price (GA)
Rep. Diane Black (TN)
Rep. Chris Van Hollen (MD)
Rep. James E. Clyburn (SC)
Rep. Nita Lowey (NY)

Conferees of the Senate

The Senate appointed conferees on October 16, 2013

Senator Patty Murray (WA) (Co-Chairman of the Conference)
Senator Ron Wyden (OR)
Senator Bill Nelson (FL)
Senator Debbie Stabenow (MI)
Senator Bernard Sanders (VT)
Senator Sheldon Whitehouse (RI)
Senator Mark R. Warner (VA)
Senator Jeff Merkley (OR)
Senator Christopher A. Coons (DE)
Senator Tammy Baldwin (WI)
Senator Tim Kaine (VA)
Senator Angus S. King, Jr. (ME)
Senator Jeff Sessions (AL)
Senator Charles Grassley (IA)
Senator Michael B. Enzi (WY)
Senator Michael Crapo (ID)
Senator Lindsey Graham (SC)
Senator Rob Portman (OH)
Senator Patrick J. Toomey (PA)
Senator Ron Johnson (WI)
Senator Kelly Ayotte (NH)
Senator Roger F. Wicker (MS)

Appendix D—Updated Portions of the Compilation of Budget Laws

CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974

[As Amended Through P.L. 113–67, Enacted December 26, 2013]

AN ACT To establish a new congressional budget process; to establish Committees on the Budget in each House; to establish a Congressional Budget Office; to establish a procedure providing congressional control over the impoundment of funds by the executive branch; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLES; TABLE OF CONTENTS

SECTION 1. [2 U.S.C. 621 note] (a) SHORT TITLES.—This Act may be cited as the “Congressional Budget and Impoundment Control Act of 1974”. Titles I through IX may be cited as the “Congressional Budget Act of 1974”. Parts A and B of title X may be cited as the “Impoundment Control Act of 1974”. Part C of title X may be cited as the “Line Item Veto Act of 1996”.⁶

(b) TABLE OF CONTENTS.—

Sec. 1. Short titles; table of contents.
Sec. 2. Declaration of purposes.
Sec. 3. Definitions.

* * * * *

TITLE II—CONGRESSIONAL BUDGET OFFICE

Sec. 201. Establishment of Office.
Sec. 202. Duties and functions.
Sec. 203. Public access to budget data.

TITLE III—CONGRESSIONAL BUDGET PROCESS

Sec. 300. Timetable.
Sec. 301. Annual adoption of concurrent resolution on the budget.
Sec. 302. Committee allocations.
Sec. 303. Concurrent resolution on the budget must be adopted before budget-related legislation is considered.
Sec. 304. Permissible revisions of concurrent resolutions on the budget.
Sec. 305. Provisions relating to consideration of concurrent resolutions on the budget.
Sec. 306. Legislation dealing with congressional budget must be handled by budget committees.
Sec. 307. House committee action on all appropriation bills to be completed by June 10.
Sec. 308. Reports, summaries, and projections of congressional budget actions.

⁶This part was declared unconstitutional by the United States Supreme Court. Please see note on page 67.

- Sec. 309. House approval of regular appropriation bills.
- Sec. 310. Reconciliation.
- Sec. 311. Budget-related legislation must be within appropriate levels.
- Sec. 312. Determinations and points of order.
- Sec. 313. Extraneous matter in reconciliation legislation.
- Sec. 314. Adjustments.
- Sec. 315. Effect of adoption of a special order of business in the House of Representatives.

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

PART A—GENERAL PROVISIONS

- Sec. 401. Budget-related legislation not subject to appropriations.
- Sec. 402. Analyses by Congressional Budget Office.
* * * * *
- Sec. 404. Study by the General Accounting Office of forms of Federal financial commitment that are not reviewed annually by Congress.
- Sec. 405. Off-budget agencies, programs, and activities.
- Sec. 406. Member user group.

PART B—FEDERAL MANDATES

- Sec. 421. Definitions.
- Sec. 422. Exclusions.
- Sec. 423. Duties of congressional committees.
- Sec. 424. Duties of the Director; statements on bills and joint resolutions other than appropriations bills and joint resolutions.
- Sec. 425. Legislation subject to point of order.
- Sec. 426. Provisions relating to the House of Representatives.
- Sec. 427. Requests to the Congressional Budget Office from Senators.
- Sec. 428. Clarification of application.

TITLE V—CREDIT REFORM

- Sec. 500. Short title.
- Sec. 501. Purposes.
- Sec. 502. Definitions.
- Sec. 503. OMB and CBO analysis, coordination, and review.
- Sec. 504. Budgetary treatment.
- Sec. 505. Authorizations.
- Sec. 506. Treatment of deposit insurance and agencies and other insurance programs.
- Sec. 507. Effect on other laws.

[TITLE VI—REPEALED]

TITLE VII—PROGRAM REVIEW AND EVALUATION

- * * * * *
- Sec. 703. Continuing study of additional budget reform proposals.
* * * * *

TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

- * * * * *
- Sec. 904. Exercise of rulemaking powers.
* * * * *

TITLE X—IMPOUNDMENT CONTROL

PART A—GENERAL PROVISIONS

- Sec. 1001. Disclaimer.
* * * * *

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

- Sec. 1011. Definitions.
- Sec. 1012. Rescission of budget authority.

- Sec. 1013. Proposed deferrals of budget authority.
- Sec. 1014. Transmission of messages; publication.
- Sec. 1015. Reports by Comptroller General.
- Sec. 1016. Suits by Comptroller General.
- Sec. 1017. Procedure in House and Senate.

PART C—LINE ITEM VETO ⁷

- Sec. 1021. Line item veto authority.
- Sec. 1022. Special messages.
- Sec. 1023. Cancellation effective unless disapproved.
- Sec. 1024. Deficit reduction.
- Sec. 1025. Expedited congressional consideration of disapproval bills.
- Sec. 1026. Definitions.
- Sec. 1027. Identification of limited tax benefits.

DECLARATION OF PURPOSES

SEC. 2. [2 U.S.C. 621] The Congress declares that it is essential—

- (1) to assure effective congressional control over the budgetary process;
- (2) to provide for the congressional determination each year of the appropriate level of Federal revenues and expenditures;
- (3) to provide a system of impoundment control;
- (4) to establish national budget priorities; and
- (5) to provide for the furnishing of information by the executive branch in a manner that will assist the Congress in discharging its duties.

DEFINITIONS

SEC. 3. [2 U.S.C. 622] IN GENERAL.—For purposes of this Act—

- (1) The terms “budget outlays” and “outlays” mean, with respect to any fiscal year, expenditures and net lending of funds under budget authority during such year.
- (2) BUDGET AUTHORITY AND NEW BUDGET AUTHORITY.—
 - (A) IN GENERAL.—The term “budget authority” means the authority provided by Federal law to incur financial obligations, as follows:
 - (i) provisions of law that make funds available for obligation and expenditure (other than borrowing authority), including the authority to obligate and expend the proceeds of offsetting receipts and collections;
 - (ii) borrowing authority, which means authority granted to a Federal entity to borrow and obligate and expend the borrowed funds, including through the issuance of promissory notes or other monetary credits;
 - (iii) contract authority, which means the making of funds available for obligation but not for expenditure; and

⁷This part was declared unconstitutional by the United States Supreme Court. See note set out in the Appendix.

(iv) offsetting receipts and collections as negative budget authority, and the reduction thereof as positive budget authority.

(B) LIMITATIONS ON BUDGET AUTHORITY.—With respect to the Federal Hospital Insurance Trust Fund, the Supplementary Medical Insurance Trust Fund, the Unemployment Trust Fund, and the railroad retirement account, any amount that is precluded from obligation in a fiscal year by a provision of law (such as a limitation or a benefit formula) shall not be budget authority in that year.

(C) NEW BUDGET AUTHORITY.—The term “new budget authority” means, with respect to a fiscal year—

(i) budget authority that first becomes available for obligation in that year, including budget authority that becomes available in that year as a result of a re-appropriation; or

(ii) a change in any account in the availability of unobligated balances of budget authority carried over from a prior year, resulting from a provision of law first effective in that year;

and includes a change in the estimated level of new budget authority provided in indefinite amounts by existing law.

(3) The term “tax expenditures” means those revenue losses attributable to provisions of the Federal tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability, and the term “tax expenditures budget” means an enumeration of such tax expenditures.

(4) The term “concurrent resolution on the budget” means—

(A) a concurrent resolution setting forth the congressional budget for the United States Government for a fiscal year as provided in section 301; and

(B) any other concurrent resolution revising the congressional budget for the United States Government for a fiscal year as described in section 304.

(5) The term “appropriation Act” means an Act referred to in section 105 of title 1, United States Code.

(6) The term “deficit” means, with respect to a fiscal year, the amount by which outlays exceeds receipts during that year.

(7) The term “surplus” means, with respect to a fiscal year, the amount by which receipts exceeds outlays during that year.

(8) The term “government-sponsored enterprise” means a corporate entity created by a law of the United States that—

(A)(i) has a Federal charter authorized by law;

(ii) is privately owned, as evidenced by capital stock owned by private entities or individuals;

(iii) is under the direction of a board of directors, a majority of which is elected by private owners;

(iv) is a financial institution with power to—

(I) make loans or loan guarantees for limited purposes such as to provide credit for specific borrowers or one sector; and

(II) raise funds by borrowing (which does not carry the full faith and credit of the Federal Government) or to guarantee the debt of others in unlimited amounts; and

(B)(i) does not exercise powers that are reserved to the Government as sovereign (such as the power to tax or to regulate interstate commerce);

(ii) does not have the power to commit the Government financially (but it may be a recipient of a loan guarantee commitment made by the Government); and

(iii) has employees whose salaries and expenses are paid by the enterprise and are not Federal employees subject to title 5 of the United States Code.

(9) The term “entitlement authority” means—

(A) the authority to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing that authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by that law; and

(B) the food stamp program.

(10) The term “credit authority” means authority to incur direct loan obligations or to incur primary loan guarantee commitments.

(11) The terms “emergency” and “unanticipated” have the meanings given to such terms in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985.

* * * * *

TITLE II—CONGRESSIONAL BUDGET OFFICE

ESTABLISHMENT OF OFFICE

SEC. 201. [2 U.S.C. 601] (a) IN GENERAL.—

(1) There is established an office of the Congress to be known as the Congressional Budget Office (hereinafter in this title referred to as the “Office”). The Office shall be headed by a Director; and there shall be a Deputy Director who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as Director.

(2) The Director shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate after considering recommendations received from the Committees on the Budget of the House and the Senate, without regard to political affiliation and solely on the basis of his fitness to perform his duties. The Deputy Director shall be appointed by the Director.

(3) The term of office of the Director shall be 4 years and shall expire on January 3 of the year preceding each Presidential election. Any individual appointed as Director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as Director at the expiration of a term may continue to serve until

his successor is appointed. Any Deputy Director shall serve until the expiration of the term of office of the Director who appointed him (and until his successor is appointed), unless sooner removed by the Director.

(4) The Director may be removed by either House by resolution.

(5)(A) The Director shall receive compensation at an annual rate of pay that is equal to the lower of—

(i) the highest annual rate of compensation of any officer of the Senate; or

(ii) the highest annual rate of compensation of any officer of the House of Representatives.

(B) The Deputy Director shall receive compensation at an annual rate of pay that is \$1,000 less than the annual rate of pay received by the Director, as determined under subparagraph (A).

(b) PERSONNEL.—The Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may prescribe the duties and responsibilities of the personnel of the Office, and delegate to them authority to perform any of the duties, powers, and functions imposed on the Office or on the Director. For purposes of pay (other than pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they were employees of the House of Representatives.

(c) EXPERTS AND CONSULTANTS.—In carrying out the duties and functions of the Office, the Director may procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract as independent contractors, or, in the case of individual experts or consultants, by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the General Schedule of section 5332 of title 5, United States Code.

(d) RELATIONSHIP TO EXECUTIVE BRANCH.—The Director is authorized to secure information, data, estimates, and statistics directly from the various departments, agencies, and establishments of the executive branch of Government and the regulatory agencies and commissions of the Government. All such departments, agencies, establishments, and regulatory agencies and commissions shall furnish the Director any available material which he determines to be necessary in the performance of his duties and functions (other than material the disclosure of which would be a violation of law). The Director is also authorized, upon agreement with the head of any such department, agency, establishment, or regulatory agency or commission, to utilize its services, facilities, and personnel with or without reimbursement; and the head of each such department, agency, establishment, or regulatory agency or commission is authorized to provide the Office such services, facilities, and personnel.

(e) RELATIONSHIP TO OTHER AGENCIES OF CONGRESS.—In carrying out the duties and functions of the Office, and for the purpose

of coordinating the operations of the Office with those of other congressional agencies with a view to utilizing most effectively the information, services, and capabilities of all such agencies in carrying out the various responsibilities assigned to each, the Director is authorized to obtain information, data, estimates, and statistics developed by the General Accounting Office, and the Library of Congress, and (upon agreement with them) to utilize their services, facilities, and personnel with or without reimbursement. The Comptroller General, and the Librarian of Congress are authorized to provide the Office with the information, data, estimates, and statistics, and the services, facilities, and personnel, referred to in the preceding sentence.

(f) REVENUE ESTIMATES.—For the purposes of revenue legislation which is income, estate and gift, excise, and payroll taxes (i.e., Social Security), considered or enacted in any session of Congress, the Congressional Budget Office shall use exclusively during that session of Congress revenue estimates provided to it by the Joint Committee on Taxation. During that session of Congress such revenue estimates shall be transmitted by the Congressional Budget Office to any committee of the House of Representatives or the Senate requesting such estimates, and shall be used by such Committees in determining such estimates. The Budget Committees of the Senate and House shall determine all estimates with respect to scoring points of order and with respect to the execution of the purposes of this Act.

(g) APPROPRIATIONS.—There are authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the effective date of this subsection, the expenses of the Office shall be paid from the contingent fund of the Senate, in accordance with the paragraph relating to the contingent fund of the Senate under the heading “UNDER LEGISLATIVE” in the Act of October 1, 1888 (28 Stat. 546; 2 U.S.C. 68), and upon vouchers approved by the Director.

DUTIES AND FUNCTIONS

SEC. 202. [2 U.S.C. 602] (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 Committees 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 sub-

section (a) 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), 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), 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).

(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 257(b)(2)(A) and for excise taxes assumed to be extended under section 257(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985. 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 func-

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

PUBLIC ACCESS TO BUDGET DATA

SEC. 203. [2 U.S.C. 603] (a) RIGHT TO COPY.—Except as provided in subsections (c), (d), and (e), the Director shall make all information, data, estimates, and statistics obtained under sections 201(d) and 201(e) 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) applies and shall make such systems available for public use during normal business hours.

(c) EXCEPTIONS.—Subsection (a) 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) 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 201(d) and 201(e), 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.

TITLE III—CONGRESSIONAL BUDGET PROCESS ⁸

TIMETABLE

SEC. 300. [2 U.S.C. 631] The timetable with respect to the congressional budget process for any fiscal year is as follows:

On or before:	Action to be completed:
First Monday in February	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports concurrent resolution on the budget.
April 15	Congress completes action on concurrent resolution on the budget.
May 15	Annual appropriation bills may be considered in the House.
June 10	House Appropriations Committee reports last annual appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills.
October 1	Fiscal year begins.

⁸Most points of order under this title may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members duly chosen or sworn. See sec. 904(c) for details.

ANNUAL ADOPTION OF CONCURRENT RESOLUTION ON THE BUDGET

SEC. 301. [2 U.S.C. 632] (a)⁹ CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1 of such year. The concurrent resolution shall set forth appropriate levels for the fiscal year beginning on October 1 of such year and for at least each of the 4 ensuing fiscal years for the following—

- (1) totals of new budget authority and outlays;
- (2) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;
- (3) the surplus or deficit in the budget;
- (4) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to paragraph (1);
- (5) the public debt;
- (6) for purposes of Senate enforcement under this title, outlays of the old-age, survivors, and disability insurance program established under title II of the Social Security Act for the fiscal year of the resolution and for each of the 4 succeeding fiscal years; and
- (7) for purposes of Senate enforcement under this title, revenues of the old-age, survivors, and disability insurance program established under title II of the Social Security Act (and the related provisions of the Internal Revenue Code of 1986) for the fiscal year of the resolution and for each of the 4 succeeding fiscal years.

The concurrent resolution shall not include the outlays and revenue totals of the old-age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any other surplus or deficit totals required by this title.

(b) ADDITIONAL MATTERS IN CONCURRENT RESOLUTION.—The concurrent resolution on the budget may—

- (1) set forth, if required by subsection (f), the calendar year in which, in the opinion of the Congress, the goals for reducing unemployment set forth in section 4(b) of the Employment Act of 1946 should be achieved;
- (2) include reconciliation directives described in section 310;
- (3) require a procedure under which all or certain bills or resolutions providing new budget authority or new entitlement authority for such fiscal year shall not be enrolled until the Congress has completed action on any reconciliation bill or reconciliation resolution or both required by such concurrent resolution to be reported in accordance with section 310(b);
- (4) set forth such other matters, and require such other procedures, relating to the budget, as may be appropriate to carry out the purposes of this Act;

⁹See clause 10(b) of rule XVIII and rule XXII of the Rules of the House of Representatives.

(5) include a heading entitled "Debt Increase as Measure of Deficit" in which the concurrent resolution shall set forth the amounts by which the debt subject to limit (in section 3101 of title 31 of the United States Code) has increased or would increase in each of the relevant fiscal years;

(6) include a heading entitled "Display of Federal Retirement Trust Fund Balances" in which the concurrent resolution shall set forth the balances of the Federal retirement trust funds;

(7) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution;

(8) set forth procedures to effectuate pay-as-you-go in the House of Representatives; and

(9) set forth direct loan obligation and primary loan guarantee commitment levels.

(c) CONSIDERATION OF PROCEDURES OR MATTERS WHICH HAVE THE EFFECT OF CHANGING ANY RULE OF THE HOUSE OF REPRESENTATIVES.—If the Committee on the Budget of the House of Representatives reports any concurrent resolution on the budget which includes any procedure or matter which has the effect of changing any rule of the House of Representatives, such concurrent resolution shall then be referred to the Committee on Rules with instructions to report it within five calendar days (not counting any day on which the House is not in session). The Committee on Rules shall have jurisdiction to report any concurrent resolution referred to it under this paragraph with an amendment or amendments changing or striking out any such procedure or matter.

(d)¹⁰ VIEWS AND ESTIMATES OF OTHER COMMITTEES.—Within 6 weeks after the President submits a budget under section 1105(a) of title 31, United States Code, or at such time as may be requested by the Committee on the Budget, each committee of the House of Representatives having legislative jurisdiction shall submit to the Committee on the Budget of the House and each committee of the Senate having legislative jurisdiction shall submit to the Committee on the Budget of the Senate its views and estimates (as determined by the committee making such submission) with respect to all matters set forth in subsections (a) and (b) which relate to matters within the jurisdiction or functions of such committee. The Joint Economic Committee shall submit to the Committees on the Budget of both Houses its recommendations as to the fiscal policy appropriate to the goals of the Employment Act of 1946. Any other committee of the House of Representatives or the Senate may submit to the Committee on the Budget of its House, and any joint committee of the Congress may submit to the Committees on the Budget of both Houses, its views and estimates with respect to all matters set forth in subsections (a) and (b) which relate to matters within its jurisdiction or functions. Any Committee of the House of

¹⁰ See clauses 4(f) and 11(c)(3) of rule X of the Rules of the House of Representatives.

Representatives or the Senate that anticipates that the committee will consider any proposed legislation establishing, amending, or reauthorizing any Federal program likely to have a significant budgetary impact on any State, local, or tribal government, or likely to have a significant financial impact on the private sector, including any legislative proposal submitted by the executive branch likely to have such a budgetary or financial impact, shall include its views and estimates on that proposal to the Committee on the Budget of the applicable House.

(e) HEARINGS AND REPORT.—

(1) IN GENERAL.—In developing the concurrent resolution on the budget referred to in subsection (a) for each fiscal year, the Committee on the Budget of each House shall hold hearings and shall receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as the committee deems desirable. Each of the recommendations as to short-term and medium-term goal set forth in the report submitted by the members of the Joint Economic Committee under subsection (d) may be considered by the Committee on the Budget of each House as part of its consideration of such concurrent resolution, and its report may reflect its views thereon, including its views on how the estimates of revenues and levels of budget authority and outlays set forth in such concurrent resolution are designed to achieve any goals it is recommending.

(2) REQUIRED CONTENTS OF REPORT.—The report accompanying the resolution shall include—

(A) a comparison of the levels of total new budget authority, total outlays, total revenues, and the surplus or deficit for each fiscal year set forth in the resolution with those requested in the budget submitted by the President;

(B) with respect to each major functional category, an estimate of total new budget authority and total outlays, with the estimates divided between discretionary and mandatory amounts;

(C) the economic assumptions that underlie each of the matters set forth in the resolution and any alternative economic assumptions and objectives the committee considered;

(D) information, data, and comparisons indicating the manner in which, and the basis on which, the committee determined each of the matters set forth in the resolution;

(E) the estimated levels of tax expenditures (the tax expenditures budget) by major items and functional categories for the President's budget and in the resolution; and

(F) allocations described in section 302(a).

(3) ADDITIONAL CONTENTS OF REPORT.—The report accompanying the resolution may include—

(A) a statement of any significant changes in the proposed levels of Federal assistance to State and local governments;

(B) an allocation of the level of Federal revenues recommended in the resolution among the major sources of such revenues;

(C) information, data, and comparisons on the share of total Federal budget outlays and of gross domestic product devoted to investment in the budget submitted by the President and in the resolution;

(D) the assumed levels of budget authority and outlays for public buildings, with a division between amounts for construction and repair and for rental payments; and

(E) other matters, relating to the budget and to fiscal policy, that the committee deems appropriate.

(f) ACHIEVEMENT OF GOALS FOR REDUCING UNEMPLOYMENT.—

(1) If, pursuant to section 4(c) of the Employment Act of 1946, the President recommends in the Economic Report that the goals for reducing unemployment set forth in section 4(b) of such Act be achieved in a year after the close of the five-year period prescribed by such subsection, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(2) After the Congress has expressed its opinion pursuant to paragraph (1) as to the year in which the goals for reducing unemployment set forth in section 4(b) of the Employment Act of 1946 can be achieved, if, pursuant to section 4(e) of such Act, the President recommends in the Economic Report that such goals be achieved in a year which is different from the year in which the Congress has expressed its opinion that such goals should be achieved, either in its action pursuant to paragraph (1) or in its most recent action pursuant to this paragraph, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(3) It shall be in order to amend the provision of such resolution setting forth such year only if the amendment thereto also proposes to alter the estimates, amounts, and levels (as described in subsection (a)) set forth in such resolution in germane fashion in order to be consistent with the economic goals (as described in sections 3(a)(2) and (4)(b) of the Employment Act of 1946) which such amendment proposes can be achieved by the year specified in such amendment.

(g) ECONOMIC ASSUMPTIONS.—

(1) It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or any amendment thereto, or any conference report thereon, that sets forth amounts and levels that are determined on the basis of more than one set of economic and technical assumptions.

(2) The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall set forth the common economic assumptions upon which such joint statement and conference report are based, or upon which any amendment contained in the joint explanatory statement

to be proposed by the conferees in the case of technical disagreement, is based.

(3) Subject to periodic reestimation based on changed economic conditions or technical estimates, determinations under titles III and IV of the Congressional Budget Act of 1974 shall be based upon such common economic and technical assumptions.

(h) BUDGET COMMITTEES CONSULTATION WITH COMMITTEES.—The Committee on the Budget of the House of Representatives shall consult with the committees of its House having legislative jurisdiction during the preparation, consideration, and enforcement of the concurrent resolution on the budget with respect to all matters which relate to the jurisdiction or functions of such committees.

(i) SOCIAL SECURITY POINT OF ORDER.—It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the excess of social security revenues over social security outlays in any of the fiscal years covered by the concurrent resolution. No change in chapter 1 of the Internal Revenue Code of 1986 shall be treated as affecting the amount of social security revenues unless such provision changes the income tax treatment of social security benefits.

COMMITTEE ALLOCATIONS

SEC. 302. [2 U.S.C. 633] (a) COMMITTEE SPENDING ALLOCATIONS.—

(1) ALLOCATION AMONG COMMITTEES.—The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include an allocation, consistent with the resolution recommended in the conference report, of the levels for the first fiscal year of the resolution, for at least each of the ensuing 4 fiscal years, and a total for that period of fiscal years (except in the case of the Committee on Appropriations only for the fiscal year of that resolution) of—

- (A) total new budget authority; and
- (B) total outlays;

among each committee of the House of Representatives or the Senate that has jurisdiction over legislation providing or creating such amounts.

(2) NO DOUBLE COUNTING.—In the House of Representatives, any item allocated to one committee may not be allocated to another committee.

(3) FURTHER DIVISION OF AMOUNTS.—

(A) IN THE SENATE.—In the Senate, the amount allocated to the Committee on Appropriations shall be further divided among the categories specified in section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall not exceed the limits for each category set forth in section 251(c) of that Act.

(B) IN THE HOUSE.—In the House of Representatives, the amounts allocated to each committee for each fiscal year, other than the Committee on Appropriations, shall be further divided between amounts provided or required

by law on the date of filing of that conference report and amounts not so provided or required. The amounts allocated to the Committee on Appropriations shall be further divided—

(i) between discretionary and mandatory amounts or programs, as appropriate; and

(ii) consistent with the categories specified in section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) AMOUNTS NOT ALLOCATED.—In the House of Representatives or the Senate, if a committee receives no allocation of new budget authority or outlays, that committee shall be deemed to have received an allocation equal to zero for new budget authority or outlays.

(5) ADJUSTING ALLOCATION OF DISCRETIONARY SPENDING IN THE HOUSE OF REPRESENTATIVES.—(A) If a concurrent resolution on the budget is not adopted by April 15, the chairman of the Committee on the Budget of the House of Representatives shall submit to the House, as soon as practicable, an allocation under paragraph (1) to the Committee on Appropriations consistent with the discretionary spending levels in the most recently agreed to concurrent resolution on the budget for the appropriate fiscal year covered by that resolution.

(B) As soon as practicable after an allocation under paragraph (1) is submitted under this section, the Committee on Appropriations shall make suballocations and report those suballocations to the House of Representatives.

(b) SUBALLOCATIONS BY APPROPRIATIONS COMMITTEES.—As soon as practicable after a concurrent resolution on the budget is agreed to, the Committee on Appropriations of each House (after consulting with the Committee on Appropriations of the other House) shall suballocate each amount allocated to it for the budget year under subsection (a) among its subcommittees. Each Committee on Appropriations shall promptly report to its House suballocations made or revised under this subsection. The Committee on Appropriations of the House of Representatives shall further divide among its subcommittees the divisions made under subsection (a)(3)(B) and promptly report those divisions to the House.

(c) POINT OF ORDER.—After the Committee on Appropriations has received an allocation pursuant to subsection (a) for a fiscal year, it shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report within the jurisdiction of that committee providing new budget authority for that fiscal year, until that committee makes the suballocations required by subsection (b).

(d) SUBSEQUENT CONCURRENT RESOLUTIONS.—In the case of a concurrent resolution on the budget referred to in section 304, the allocations under subsection (a) and the subdivisions under subsection (b) shall be required only to the extent necessary to take into account revisions made in the most recently agreed to concurrent resolution on the budget.

(e) ALTERATION OF ALLOCATIONS.—At any time after a committee reports the allocations required to be made under subsection (b), such committee may report to its House an alteration of such

allocations. Any alteration of such allocations must be consistent with any actions already taken by its House on legislation within the committee's jurisdiction.

(f) LEGISLATION SUBJECT TO POINT OF ORDER.—

(1) IN THE HOUSE OF REPRESENTATIVES.—After the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, or amendment providing new budget authority for any fiscal year, or any conference report on any such bill or joint resolution, if—

(A) the enactment of such bill or resolution as reported;

(B) the adoption and enactment of such amendment;

or

(C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the applicable allocation of new budget authority made under subsection (a) or (b) for the first fiscal year or the total of fiscal years to be exceeded.

(2) IN THE SENATE.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause—

(A) in the case of any committee except the Committee on Appropriations, the applicable allocation of new budget authority or outlays under subsection (a) for the first fiscal year or the total of fiscal years to be exceeded; or

(B) in the case of the Committee on Appropriations, the applicable suballocation of new budget authority or outlays under subsection (b) to be exceeded.

(g) PAY-AS-YOU-GO EXCEPTION IN THE HOUSE.—

(1) IN GENERAL.—(A) Subsection (f)(1) and, after April 15, section 303(a) shall not apply to any bill or joint resolution, as reported, amendment thereto, or conference report thereon if, for each fiscal year covered by the most recently agreed to concurrent resolution on the budget—

(i) the enactment of that bill or resolution as reported;

(ii) the adoption and enactment of that amendment; or

(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would not increase the deficit, and, if the sum of any revenue increases provided in legislation already enacted during the current session (when added to revenue increases, if any, in excess of any outlay increase provided by the legislation proposed for consideration) is at least as great as the sum of the amount, if any, by which the aggregate level of Federal revenues should be increased as set forth in that concurrent resolution and the amount, if any, by which revenues are to be increased pursuant to pay-as-you-go procedures under section 301(b)(8), if included in that concurrent resolution.

(B) Section 311(a), as that section applies to revenues, shall not apply to any bill, joint resolution, amendment thereto, or conference report thereon if, for each fiscal year covered

by the most recently agreed to concurrent resolution on the budget—

- (i) the enactment of that bill or resolution as reported;
- (ii) the adoption and enactment of that amendment; or
- (iii) the enactment of that bill or resolution in the form

recommended in that conference report,

would not increase the deficit, and, if the sum of any outlay reductions provided in legislation already enacted during the current session (when added to outlay reductions, if any, in excess of any revenue reduction provided by the legislation proposed for consideration) is at least as great as the sum of the amount, if any, by which the aggregate level of Federal outlays should be reduced as required by that concurrent resolution and the amount, if any, by which outlays are to be reduced pursuant to pay-as-you-go procedures under section 301(b)(8), if included in that concurrent resolution.

(2) REVISED ALLOCATIONS.—(A) As soon as practicable after Congress agrees to a bill or joint resolution that would have been subject to a point of order under subsection (f)(1) but for the exception provided in paragraph (1)(A) or would have been subject to a point of order under section 311(a) but for the exception provided in paragraph (1)(B), the chairman of the Committee on the Budget of the House of Representatives shall file with the House appropriately revised allocations under section 302(a) and revised functional levels and budget aggregates to reflect that bill.

(B) Such revised allocations, functional levels, and budget aggregates shall be considered for the purposes of this Act as allocations, functional levels, and budget aggregates contained in the most recently agreed to concurrent resolution on the budget.

CONCURRENT RESOLUTION ON THE BUDGET MUST BE ADOPTED
BEFORE BUDGET-RELATED LEGISLATION IS CONSIDERED

SEC. 303.¹¹ [2 U.S.C. 634] (a) IN GENERAL.—Until the concurrent resolution on the budget for a fiscal year has been agreed to, it shall not be in order in the House of Representatives, with respect to the first fiscal year covered by that resolution, or the Senate, with respect to any fiscal year covered by that resolution, to consider any bill or joint resolution, amendment or motion thereto, or conference report thereon that—

- (1) first provides new budget authority for that fiscal year;
- (2) first provides an increase or decrease in revenues during that fiscal year;
- (3) provides an increase or decrease in the public debt limit to become effective during that fiscal year;
- (4) in the Senate only, first provides new entitlement authority for that fiscal year; or

¹¹In the House, the application of section 303 was modified for the 106th Congress by section 2(a)(3) of H. Res. 5 (106th Congress) on January 6, 1999, to clarify that, in the case of a reported bill or joint resolution considered pursuant to a special order, determinations under section 303 are for the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage.

(5) in the Senate only, first provides for an increase or decrease in outlays for that fiscal year.

(b) EXCEPTIONS IN THE HOUSE.—In the House of Representatives, subsection (a) does not apply—

(1)(A) to any bill or joint resolution, as reported, providing advance discretionary new budget authority that first becomes available for the first or second fiscal year after the budget year; or

(B) to any bill or joint resolution, as reported, first increasing or decreasing revenues in a fiscal year following the fiscal year to which the concurrent resolution applies;

(2) after May 15, to any general appropriation bill or amendment thereto; or

(3) to any bill or joint resolution unless it is reported by a committee.

(c) APPLICATION TO APPROPRIATION MEASURES IN THE SENATE.—

(1) IN GENERAL.—Until the concurrent resolution on the budget for a fiscal year has been agreed to and an allocation has been made to the Committee on Appropriations of the Senate under section 302(a) for that year, it shall not be in order in the Senate to consider any appropriation bill or joint resolution, amendment or motion thereto, or conference report thereon for that year or any subsequent year.

(2) EXCEPTION.—Paragraph (1) does not apply to appropriations legislation making advance appropriations for the first or second fiscal year after the year the allocation referred to in that paragraph is made.

PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 304. ¹² [2 U.S.C. 635] At any time after the concurrent resolution on the budget for a fiscal year has been agreed to pursuant to section 301, and before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to.

PROVISIONS RELATING TO THE CONSIDERATION OF CONCURRENT RESOLUTIONS ON THE BUDGET

SEC. 305. [2 U.S.C. 636] (a) ¹³ PROCEDURE IN HOUSE OF REPRESENTATIVES AFTER REPORT OF COMMITTEE; DEBATE.—

(1) When a concurrent resolution on the budget has been reported by the Committee on the Budget of the House of Representatives and has been referred to the appropriate calendar of the House, it shall be in order on any day thereafter, subject to clause 4 of rule XIII of the Rules of the House of Representatives, to move to proceed to the consideration of the concurrent resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order and it is

¹² See rule XXIII of the Rules of the House of Representatives.

¹³ See clause 10(a) of rule XVIII of the Rules of the House of Representatives.

not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) General debate on any concurrent resolution on the budget in the House of Representatives shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority parties, plus such additional hours of debate as are consumed pursuant to paragraph (3). A motion further to limit debate is not debatable. A motion to recommit the concurrent resolution is not in order, and it is not in order to move to reconsider the vote by which the concurrent resolution is agreed to or disagreed to.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the House, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Only if a concurrent resolution on the budget reported by the Committee on the Budget of the House sets forth the economic goals (as described in sections 3(a)(2) and (4)(b) of the Full Employment Act of 1946) which the estimates, amounts, and levels (as described in section 301(a)) set forth in such resolution are designed to achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5)¹⁴ Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be considered for amendment under the five-minute rule in accordance with the applicable provisions of rule XVIII of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to adopt an amendment (or a series of amendments) changing any figure or figures in the resolution as so reported to the extent necessary to achieve mathematical consistency.

(6) Debate in the House of Representatives on the conference report on any concurrent resolution on the budget shall be limited to not more than 5 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(7) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the

¹⁴ See clause 10(c) of rule XVIII of the Rules of the House of Representatives.

procedure relating to any concurrent resolution on the budget shall be decided without debate.

(b) PROCEDURE IN SENATE AFTER REPORT OF COMMITTEE; DEBATE; AMENDMENTS.—

(1) Debate in the Senate on any concurrent resolution on the budget, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours, except that with respect to any concurrent resolution referred to in section 304 all such debate shall be limited to not more than 15 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a concurrent resolution on the budget shall be limited to 2 hours, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, and debate on any amendment to an amendment, debatable motion, or appeal shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of such concurrent resolution shall be received. Such leaders, or either of them, may, from the time under their control on the passage of the concurrent resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the Senate, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Subject to the other limitations of this Act, only if a concurrent resolution on the budget reported by the Committee on the Budget of the Senate sets forth the economic goals (as described in sections 3(a)(2) and 4(b) of the Employment Act of 1946) which the estimates, amounts, and levels (as described in section 301(a)) set forth in such resolution are designed to achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.

(6) Notwithstanding any other rule, an amendment or series of amendments to a concurrent resolution on the budget

proposed in the Senate shall always be in order if such amendment or series of amendments proposes to change any figure or figures then contained in such concurrent resolution so as to make such concurrent resolution mathematically consistent or so as to maintain such consistency.

(c) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(1) A motion to proceed to the consideration of the conference report on any concurrent resolution on the budget (or a reconciliation bill or resolution) may be made even though a previous motion to the same effect has been disagreed to.

(2) During the consideration in the Senate of the conference report (or a message between Houses) on any concurrent resolution on the budget, and all amendments in disagreement, and all amendments thereto, and debatable motions and appeals in connection therewith, debate shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(3) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to one-half hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(4) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(d) CONCURRENT RESOLUTION MUST BE CONSISTENT IN THE SENATE.—It shall not be in order in the Senate to vote on the question of agreeing to—

(1) a concurrent resolution on the budget unless the figures then contained in such resolution are mathematically consistent; or

(2) a conference report on a concurrent resolution on the budget unless the figures contained in such resolution, as recommended in such conference report, are mathematically consistent.

LEGISLATION DEALING WITH CONGRESSIONAL BUDGET MUST BE
HANDLED BY BUDGET COMMITTEES

SEC. 306. [2 U.S.C. 637] (a) IN THE SENATE.—In the Senate, no bill, resolution, amendment, motion, or conference report, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or resolution.

(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.

HOUSE COMMITTEE ACTION ON ALL APPROPRIATION BILLS TO BE
COMPLETED BY JUNE 10

SEC. 307. [2 U.S.C. 638] On or before June 10 of each year, the Committee on Appropriations of the House of Representatives shall report annual appropriation bills providing new budget authority under the jurisdiction of all of its subcommittees for the fiscal year which begins on October 1 of that year.

REPORTS, SUMMARIES, AND PROJECTIONS OF CONGRESSIONAL BUDGET
ACTIONS

SEC. 308. [2 U.S.C. 639] (a)¹⁵ LEGISLATION PROVIDING NEW BUDGET AUTHORITY OR PROVIDING AN INCREASE OR DECREASE IN REVENUES OR TAX EXPENDITURES.—¹⁶

(1) Whenever a committee of either House reports to its House a bill or joint resolution, or committee amendment thereto, providing new budget authority (other than continuing appropriations) or providing an increase or decrease in revenues or tax expenditures for a fiscal year (or fiscal years), the report accompanying that bill or joint resolution shall contain a statement, or the committee shall make available such a statement in the case of an approved committee amendment which is not reported to its House, prepared after consultation with the Director of the Congressional Budget Office—

(A) comparing the levels in such measure to the appropriate allocations in the reports submitted under section 302(b) for the most recently agreed to concurrent resolution on the budget for such fiscal year (or fiscal years);

(B) containing a projection by the Congressional Budget Office of how such measure will affect the levels of such budget authority, budget outlays, revenues, or tax expendi-

¹⁵ See clause 3(c)(2) and (d)(2) of rule XIII of the Rules of the House of Representatives.

¹⁶ Section 4(b)(1)(B) of Public Law 111-139 provides for an amendment to the subsection heading in section 308(a). Such amendment did not include the correct casing as it appeared in the law; however, the amendment was executed here by striking the language as it appeared in the law to reflect the probable intent of Congress.

tures under existing law for such fiscal year (or fiscal years) and each of the four ensuing fiscal years, if timely submitted before such report is filed; and

(C) containing an estimate by the Congressional Budget Office of the level of new budget authority for assistance to State and local governments provided by such measure, if timely submitted before such report is filed.

(2) Whenever a conference report is filed in either House and such conference report or any amendment reported in disagreement or any amendment contained in the joint statement of managers to be proposed by the conferees in the case of technical disagreement on such bill or joint resolution provides new budget authority (other than continuing appropriations) or provides an increase or decrease in revenues for a fiscal year (or fiscal years), the statement of managers accompanying such conference report shall contain the information described in paragraph (1), if available on a timely basis. If such information is not available when the conference report is filed, the committee shall make such information available to Members as soon as practicable prior to the consideration of such conference report.

(3) CBO PAYGO ESTIMATES.—

(A) The Chairs of the Committees on the Budget of the House and Senate, as applicable, shall request from the Director of the Congressional Budget Office an estimate of the budgetary effects of PAYGO legislation.

(B) Estimates shall be prepared using baseline estimates supplied by the Congressional Budget Office, consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(C) The Director shall not count timing shifts, as that term is defined at section 3(8) of the Statutory Pay-As-You-Go Act of 2010, in estimates of the budgetary effects of PAYGO Legislation.

(b) UP-TO-DATE TABULATIONS OF CONGRESSIONAL BUDGET ACTION.—

(1) The Director of the Congressional Budget Office shall issue to the committees of the House of Representatives and the Senate reports on at least a monthly basis detailing and tabulating the progress of congressional action on bills and joint resolutions providing new budget authority or providing an increase or decrease in revenues or tax expenditures for each fiscal year covered by a concurrent resolution on the budget. Such reports shall include but are not limited to an up-to-date tabulation comparing the appropriate aggregate and functional levels (including outlays) included in the most recently adopted concurrent resolution on the budget with the levels provided in bills and joint resolutions reported by committees or adopted by either House or by the Congress, and with the levels provided by law for the fiscal year preceding the first fiscal year covered by the appropriate concurrent resolution.

(2) The Committee on the Budget of each House shall make available to Members of its House summary budget scorekeeping reports. Such reports—

(A) shall be made available on at least a monthly basis, but in any case frequently enough to provide Members of each House an accurate representation of the current status of congressional consideration of the budget;

(B) shall include, but are not limited to summaries of tabulations provided under subsection (b)(1); and

(C) shall be based on information provided under subsection (b)(1) without substantive revision.

The chairman of the Committee on the Budget of the House of Representatives shall submit such reports to the Speaker.

(c) FIVE-YEAR PROJECTION OF CONGRESSIONAL BUDGET ACT.—As soon as practicable after the beginning of each fiscal year, the Director of the Congressional Budget Office shall issue a report projecting for the period of 5 fiscal years beginning with such fiscal year—

(1) total new budget authority and total budget outlays for each fiscal year in such period;

(2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period;

(3) tax expenditures for each fiscal year in such period; and

(4) entitlement authority for each fiscal year in such period.

(d) SCOREKEEPING GUIDELINES.—Estimates under this section shall be provided in accordance with the scorekeeping guidelines determined under section 252(d)(5) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSE APPROVAL OF REGULAR APPROPRIATION BILLS

SEC. 309. [2 U.S.C. 640] It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has approved annual appropriation bills providing new budget authority under the jurisdiction of all the subcommittees of the Committee on Appropriations for the fiscal year beginning on October 1 of such year. For purposes of this section, the chairman of the Committee on Appropriations of the House of Representatives shall periodically advise the Speaker as to changes in jurisdiction among its various subcommittees.

RECONCILIATION

SEC. 310. [2 U.S.C. 641] (a) INCLUSION OF RECONCILIATION DIRECTIVES IN CONCURRENT RESOLUTIONS ON THE BUDGET.—A concurrent resolution on the budget for any fiscal year, to the extent necessary to effectuate the provisions and requirements of such resolution, shall—

(1) specify the total amount by which—

(A) new budget authority for such fiscal year;

(B) budget authority initially provided for prior fiscal years;

(C) new entitlement authority which is to become effective during such fiscal year; and

(D) credit authority for such fiscal year,

contained in laws, bills, and resolutions within the jurisdiction of a committee is to be changed and direct that committee to determine and recommend changes to accomplish a change of such total amount;

(2) specify the total amount by which revenues are to be changed and direct that the committees having jurisdiction to determine and recommend changes in the revenue laws, bills, and resolutions to accomplish a change of such total amount;

(3) specify the amounts by which the statutory limit on the public debt is to be changed and direct the committee having jurisdiction to recommend such change; or

(4) specify and direct any combination of the matters described in paragraphs (1), (2), and (3) (including a direction to achieve deficit reduction).

(b) LEGISLATIVE PROCEDURE.—If a concurrent resolution containing directives to one or more committees to determine and recommend changes in laws, bills, or resolutions is agreed to in accordance with subsection (a), and—

(1) only one committee of the House or the Senate is directed to determine and recommend changes, that committee shall promptly make such determination and recommendations and report to its House reconciliation legislation containing such recommendations; or

(2) more than one committee of the House or the Senate is directed to determine and recommend changes, each such committee so directed shall promptly make such determination and recommendations and submit such recommendations to the Committee on the Budget of its House, which upon receiving all such recommendations, shall report to its House reconciliation legislation carrying out all such recommendations without any substantive revision.

For purposes of this subsection, a reconciliation resolution is a concurrent resolution directing the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be, to make specified changes in bills and resolutions which have not been enrolled.

(c) COMPLIANCE WITH RECONCILIATION DIRECTIONS.—(1) Any committee of the House of Representatives or the Senate that is directed, pursuant to a concurrent resolution on the budget, to determine and recommend changes of the type described in paragraphs (1) and (2) of subsection (a) with respect to laws within its jurisdiction, shall be deemed to have complied with such directions—

(A) if—

(i) the amount of the changes of the type described in paragraph (1) of such subsection recommended by such committee do not exceed or fall below the amount of the changes such committee was directed by such concurrent resolution to recommend under that paragraph by more than—

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

(ii) the amount of the changes of the type described in paragraph (2) of such subsection recommended by such committee do not exceed or fall below the amount of the changes such committee was directed by such concurrent resolution to recommend under that paragraph by more than—

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

(B) if the total amount of the changes recommended by such committee is not less than the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection.

(2)(A) Upon the reporting to the Committee on the Budget of the Senate of a recommendation that shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of that committee may file with the Senate appropriately revised allocations under section 302(a) and revised functional levels and aggregates to carry out this subsection.

(B) Upon the submission to the Senate of a conference report recommending a reconciliation bill or resolution in which a committee shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 302(a) and revised functional levels and aggregates to carry out this subsection.

(C) Allocations, functional levels, and aggregates revised pursuant to this paragraph shall be considered to be allocations, functional levels, and aggregates contained in the concurrent resolution on the budget pursuant to section 301.

(D) Upon the filing of revised allocations pursuant to this paragraph, the reporting committee shall report revised allocations pursuant to section 302(b) to carry out this subsection.

(d) LIMITATION ON AMENDMENTS TO RECONCILIATION BILLS AND RESOLUTIONS.—

(1) It shall not be in order in the House of Representatives to consider any amendment to a reconciliation bill or reconcili-

ation resolution if such amendment would have the effect of increasing any specific budget outlays above the level of such outlays provided in the bill or resolution (for the fiscal years covered by the reconciliation instructions set forth in the most recently agreed to concurrent resolution on the budget), or would have the effect of reducing any specific Federal revenues below the level of such revenues provided in the bill or resolution (for such fiscal years), unless such amendment makes at least an equivalent reduction in other specific budget outlays, an equivalent increase in other specific Federal revenues, or an equivalent combination thereof (for such fiscal years), except that a motion to strike a provision providing new budget authority or new entitlement authority may be in order.

(2) It shall not be in order in the Senate to consider any amendment to a reconciliation bill or reconciliation resolution if such amendment would have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided (for the fiscal years covered) in the reconciliation instructions which relate to such bill or resolution set forth in a resolution providing for reconciliation, or would have the effect of reducing Federal revenue increases below the level of such revenue increases provided (for such fiscal years) in such instructions relating to such bill or resolution, unless such amendment makes a reduction in other specific budget outlays, an increase in other specific Federal revenues, or a combination thereof (for such fiscal years) at least equivalent to any increase in outlays or decrease in revenues provided by such amendment, except that a motion to strike a provision shall always be in order.

(3) Paragraphs (1) and (2) shall not apply if a declaration of war by the Congress is in effect.

(4) For purposes of this section, the levels of budget outlays and Federal revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or of the Senate, as the case may be.

(5) The Committee on Rules of the House of Representatives may make in order amendments to achieve changes specified by reconciliation directives contained in a concurrent resolution on the budget if a committee or committees of the House fail to submit recommended changes to its Committee on the Budget pursuant to its instruction.

(e) PROCEDURE IN THE SENATE.—

(1) Except as provided in paragraph (2), the provisions of section 305 for the consideration in the Senate of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration in the Senate of reconciliation bills reported under subsection (b) and conference reports thereon.

(2) Debate in the Senate on any reconciliation bill reported under subsection (b), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours.

(f) COMPLETION OF RECONCILIATION PROCESS.—It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has completed action on the reconciliation legislation for the fiscal year beginning on October 1 of the calendar year to which the adjournment resolution pertains, if reconciliation legislation is required to be reported by the concurrent resolution on the budget for such fiscal year.

(g) LIMITATION ON CHANGES TO THE SOCIAL SECURITY ACT.—Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider any reconciliation bill or reconciliation resolution reported pursuant to a concurrent resolution on the budget agreed to under section 301 or 304, or a joint resolution pursuant to section 258C of the Balanced Budget and Emergency Deficit Control Act of 1985, or any amendment thereto or conference report thereon, that contains recommendations with respect to the old-age, survivors, and disability insurance program established under title II of the Social Security Act.

BUDGET-RELATED LEGISLATION MUST BE WITHIN APPROPRIATE LEVELS

SEC. 311. [2 U.S.C. 642] (a) ENFORCEMENT OF BUDGET AGGREGATES.—

(1) IN THE HOUSE OF REPRESENTATIVES.—Except as provided by subsection (c), after the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report providing new budget authority or reducing revenues, if—

(A) the enactment of that bill or resolution as reported;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report;

would cause the level of total new budget authority or total outlays set forth in the applicable concurrent resolution on the budget for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues set forth in that concurrent resolution for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided under section 302(a), except when a declaration of war by the Congress is in effect.

(2) IN THE SENATE.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that—

(A) would cause the level of total new budget authority or total outlays set forth for the first fiscal year in the applicable resolution to be exceeded; or

(B) would cause revenues to be less than the level of total revenues set forth for that first fiscal year or for the

total of that first fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a).

(3) ENFORCEMENT OF SOCIAL SECURITY LEVELS IN THE SENATE.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in social security surpluses or an increase in social security deficits relative to the levels set forth in the applicable resolution for the first fiscal year or for the total of that fiscal year and the ensuing fiscal years for which allocations are provided under section 302(a).

(b) SOCIAL SECURITY LEVELS.—

(1) IN GENERAL.—For purposes of subsection (a)(3), social security surpluses equal the excess of social security revenues over social security outlays in a fiscal year or years with such an excess and social security deficits equal the excess of social security outlays over social security revenues in a fiscal year or years with such an excess.

(2) TAX TREATMENT.—For purposes of subsection (a)(3), no provision of any legislation involving a change in chapter 1 of the Internal Revenue Code of 1986 shall be treated as affecting the amount of social security revenues or outlays unless that provision changes the income tax treatment of social security benefits.

(c) EXCEPTION IN THE HOUSE OF REPRESENTATIVES.—Subsection (a)(1) shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

(1) the enactment of that bill or resolution as reported;

(2) the adoption and enactment of that amendment; or

(3) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 302(a) for that fiscal year to be exceeded.

DETERMINATIONS AND POINTS OF ORDER

SEC. 312. [2 U.S.C. 643] (a) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this title and title IV, the levels of new budget authority, outlays, direct spending, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or the Senate, as applicable.

(b) DISCRETIONARY SPENDING POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would exceed any of the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) EXCEPTIONS.—This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolu-

tion pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(c) **MAXIMUM DEFICIT AMOUNT POINT OF ORDER IN THE SENATE.**—It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or to consider any amendment to that concurrent resolution, or to consider a conference report on that concurrent resolution, if—

(1) the level of total outlays for the first fiscal year set forth in that concurrent resolution or conference report exceeds; or

(2) the adoption of that amendment would result in a level of total outlays for that fiscal year that exceeds; the recommended level of Federal revenues for that fiscal year, by an amount that is greater than the maximum deficit amount, if any, specified in the Balanced Budget and Emergency Deficit Control Act of 1985 for that fiscal year.

(d) **TIMING OF POINTS OF ORDER IN THE SENATE.**—A point of order under this Act may not be raised against a bill, resolution, amendment, motion, or conference report while an amendment or motion, the adoption of which would remedy the violation of this Act, is pending before the Senate.

(e) **POINTS OF ORDER IN THE SENATE AGAINST AMENDMENTS BETWEEN THE HOUSES.**—Each provision of this Act that establishes a point of order against an amendment also establishes a point of order in the Senate against an amendment between the Houses. If a point of order under this Act is raised in the Senate against an amendment between the Houses and the point of order is sustained, the effect shall be the same as if the Senate had disagreed to the amendment.

(f) **EFFECT OF A POINT OF ORDER IN THE SENATE.**—In the Senate, if a point of order under this Act against a bill or resolution is sustained, the Presiding Officer shall then recommit the bill or resolution to the committee of appropriate jurisdiction for further consideration.

EXTRANEOUS MATTER IN RECONCILIATION LEGISLATION

SEC. 313. [2 U.S.C. 644] (a) **IN GENERAL.**—When the Senate is considering a reconciliation bill or a reconciliation resolution pursuant to section 310 (whether that bill or resolution originated in the Senate or the House) or section 258C of the Balanced Budget and Emergency Deficit Control Act of 1985, upon a point of order being made by any Senator against material extraneous to the instructions to a committee which is contained in any title or provision of the bill or resolution or offered as an amendment to the bill or resolution, and the point of order is sustained by the Chair, any part of said title or provision that contains material extraneous to the instructions to said Committee as defined in subsection (b) shall be deemed stricken from the bill and may not be offered as an amendment from the floor.

(b) **EXTRANEOUS PROVISIONS.**—(1)(A) Except as provided in paragraph (2), a provision of a reconciliation bill or reconciliation resolution considered pursuant to section 310 shall be considered extraneous if such provision does not produce a change in outlays or revenue, including changes in outlays and revenues brought

about by changes in the terms and conditions under which outlays are made or revenues are required to be collected (but a provision in which outlay decreases or revenue increases exactly offset outlay increases or revenue decreases shall not be considered extraneous by virtue of this subparagraph); (B) any provision producing an increase in outlays or decrease in revenues shall be considered extraneous if the net effect of provisions reported by the Committee reporting the title containing the provision is that the Committee fails to achieve its reconciliation instructions; (C) a provision that is not in the jurisdiction of the Committee with jurisdiction over said title or provision shall be considered extraneous; (D) a provision shall be considered extraneous if it produces changes in outlays or revenues which are merely incidental to the non-budgetary components of the provision; (E) a provision shall be considered to be extraneous if it increases, or would increase, net outlays, or if it decreases, or would decrease, revenues during a fiscal year after the fiscal years covered by such reconciliation bill or reconciliation resolution, and such increases or decreases are greater than outlay reductions or revenue increases resulting from other provisions in such title in such year; and (F) a provision shall be considered extraneous if it violates section 310(g).

(2) A Senate-originated provision shall not be considered extraneous under paragraph (1)(A) if the Chairman and Ranking Minority Member of the Committee on the Budget and the Chairman and Ranking Minority Member of the Committee which reported the provision certify that: (A) the provision mitigates direct effects clearly attributable to a provision changing outlays or revenue and both provisions together produce a net reduction in the deficit; (B) the provision will result in a substantial reduction in outlays or a substantial increase in revenues during fiscal years after the fiscal years covered by the reconciliation bill or reconciliation resolution; (C) a reduction of outlays or an increase in revenues is likely to occur as a result of the provision, in the event of new regulations authorized by the provision or likely to be proposed, court rulings on pending litigation, or relationships between economic indices and stipulated statutory triggers pertaining to the provision, other than the regulations, court rulings or relationships currently projected by the Congressional Budget Office for scorekeeping purposes; or (D) such provision will be likely to produce a significant reduction in outlays or increase in revenues but, due to insufficient data, such reduction or increase cannot be reliably estimated.

(3) A provision reported by a committee shall not be considered extraneous under paragraph (1)(C) if (A) the provision is an integral part of a provision or title, which if introduced as a bill or resolution would be referred to such committee, and the provision sets forth the procedure to carry out or implement the substantive provisions that were reported and which fall within the jurisdiction of such committee; or (B) the provision states an exception to, or a special application of, the general provision or title of which it is a part and such general provision or title if introduced as a bill or resolution would be referred to such committee.

(c) EXTRANEIOUS MATERIALS.—Upon the reporting or discharge of a reconciliation bill or resolution pursuant to section 310 in the Senate, and again upon the submission of a conference report on

such a reconciliation bill or resolution, the Committee on the Budget of the Senate shall submit for the record a list of material considered to be extraneous under subsections (b)(1)(A), (b)(1)(B), and (b)(1)(E) of this section to the instructions of a committee as provided in this section. The inclusion or exclusion of a provision shall not constitute a determination of extraneousness by the Presiding Officer of the Senate.

(d) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a reconciliation bill or reconciliation resolution pursuant to section 310, upon—

(1) a point of order being made by any Senator against extraneous material meeting the definition of subsections (b)(1)(A), (b)(1)(B), (b)(1)(D), (b)(1)(E), or (b)(1)(F), and

(2) such point of order being sustained,

such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed, without intervening action or motion, to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable for two hours. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(e) GENERAL POINT OF ORDER.—Notwithstanding any other law or rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provisions of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

ADJUSTMENTS

SEC. 314. [2 U.S.C. 645] (a) ADJUSTMENTS.—After the reporting of a bill or joint resolution or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget of the House of Representa-

tives or the Senate may make appropriate budgetary adjustments of new budget authority and the outlays flowing therefrom in the same amount as required by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) APPLICATION OF ADJUSTMENTS.—The adjustments made pursuant to subsection (a) for legislation shall—

- (1) apply while that legislation is under consideration;
- (2) take effect upon the enactment of that legislation; and
- (3) be published in the Congressional Record as soon as practicable.

(c) REPORTING REVISED SUBALLOCATIONS.—Following any adjustment made under subsection (a), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations under section 302(b) to carry out this section.

(d) EMERGENCIES IN THE HOUSE OF REPRESENTATIVES.—(1) In the House of Representatives, if a reported bill or joint resolution, or amendment thereto or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue, and a designation of such provision as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chair of the Committee on the Budget of the House of Representatives shall not count the budgetary effects of such provision for purposes of title III and title IV of the Congressional Budget Act of 1974 and the Rules of the House of Representatives.

(2)

(A) In the House of Representatives, a proposal to strike a designation under paragraph (1) shall be excluded from an evaluation of budgetary effects for purposes of this title and title IV and the Rules of the House of Representatives.

(B) An amendment offered under subparagraph (A) that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

(e) SENATE POINT OF ORDER AGAINST AN EMERGENCY DESIGNATION.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, amendment between the Houses, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An af-

firmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) ENFORCEMENT OF DISCRETIONARY SPENDING CAPS.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause the discretionary spending limits as set forth in section 251 of the Balanced Budget and Emergency Deficit Control Act to be exceeded.

EFFECT OF ADOPTION OF A SPECIAL ORDER OF BUSINESS IN THE HOUSE OF REPRESENTATIVES

SEC. 315. [2 U.S.C. 645a] For purposes of a reported bill or joint resolution considered in the House of Representatives pursuant to a special order of business, the term “as reported” in this title or title IV shall be considered to refer to the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be. In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

PART A—GENERAL PROVISIONS

BUDGET-RELATED LEGISLATION NOT SUBJECT TO APPROPRIATIONS

SEC. 401. [2 U.S.C. 651] (a) CONTROLS ON CERTAIN BUDGET-RELATED LEGISLATION NOT SUBJECT TO APPROPRIATIONS.—It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides—

(1) new authority to enter into contracts under which the United States is obligated to make outlays;

(2) new authority to incur indebtedness (other than indebtedness incurred under chapter 31 of title 31 of the United States Code) for the repayment of which the United States is liable; or

(3) new credit authority;

unless that bill, joint resolution, amendment, motion, or conference report also provides that the new authority is to be effective for any fiscal year only to the extent or in the amounts provided in advance in appropriation Acts.

(b) LEGISLATION PROVIDING NEW ENTITLEMENT AUTHORITY.—

(1) POINT OF ORDER.—It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides new entitlement authority that is to become effective during the current fiscal year.¹⁷

(2) If any committee of the House of Representatives or the Senate reports any bill or resolution which provides new entitlement authority which is to become effective during a fiscal year and the amount of new budget authority which will be required for such fiscal year if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported under section 302(a) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations of the Senate or may then be referred to the Committee on Appropriations of the House, as the case may be, with instructions to report it, with the committee's recommendations, within 15 calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations of either House fails to report a bill or resolution referred to it under this paragraph within such 15-day period, the committee shall automatically

¹⁷In the House, section 401(b) was clarified by section 2(a)(2) of H. Res. 5 (106th Congress) on January 6, 1999, to explain that pending the adoption by the Congress of a concurrent resolution on the budget for fiscal year 2000, a provision in a reported bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes a specified or minimum level of compensation to be funded by annual discretionary appropriations should not be considered as providing new entitlement authority within the meaning of the Congressional Budget Act of 1974.

be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the appropriate calendar.

(3) The Committee on Appropriations of each House shall have jurisdiction to report any bill or resolution referred to it under paragraph (2) with an amendment which limits the total amount of new spending authority provided in such bill or resolution.

(c) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to new spending authority if the budget authority for outlays which will result from such new spending authority is derived¹⁸—

(A) from a trust fund established by the Social Security Act (as in effect on the date of the enactment of this Act); or

(B) from any other trust fund, 90 percent or more of the receipts of which consist or will consist of amounts (transferred from the general fund of the Treasury) equivalent to amounts of taxes (related to the purposes for which such outlays are or will be made) received in the Treasury under specified provisions of the Internal Revenue Code of 1954.

(2) Subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that—

(A) the outlays resulting therefrom are made by an organization which is (i) a mixed-ownership Government corporation (as defined in section 201 of the Government Corporation Control Act), or (ii) a wholly owned Government corporation (as defined in section 101 of such Act) which is specifically exempted by law from compliance with any or all of the provisions of that Act, as of the date of enactment of the Balanced Budget and Emergency Deficit Control Act of 1985; or

(B) the outlays resulting therefrom consist exclusively of the proceeds of gifts or bequests made to the United States for a specific purpose.

(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.

ANALYSIS BY CONGRESSIONAL BUDGET OFFICE

SEC. 402.¹⁹ [2 U.S.C. 653] The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill or resolution of a public character reported by any committee of the

¹⁸Section 10116(a)(4)(A) of Public Law 105-33 provides for an amendment to strike “new spending authority if the budget authority for outlays which result from such new spending authority is derived” and insert “new authority described in those subsections if outlays from that new authority will flow”.

Such amendment could not be carried out because the word “will” appears after “for outlays which” in law.

¹⁹See clause 3(c)(3) of rule XIII of the Rules of the House of Representatives.

House of Representatives or the Senate (except the Committee on Appropriations of each House), and submit to such committee—

(1) an estimate of the costs which would be incurred in carrying out such bill or resolution in the fiscal year in which it is to become effective and in each of the 4 fiscal years following such fiscal year, together with the basis for each such estimate;

(2) a comparison of the estimates of costs described in paragraph (1), with any available estimates of costs made by such committee or by any Federal agency; and

(3) a description of each method for establishing a Federal financial commitment contained in such bill or resolution.

The estimates, comparison, and description so submitted shall be included in the report accompanying such bill or resolution if timely submitted to such committee before such report is filed.

* * * * *

STUDY BY THE GENERAL ACCOUNTING OFFICE OF FORMS OF FEDERAL FINANCIAL COMMITMENT THAT ARE NOT REVIEWED ANNUALLY BY CONGRESS

SEC. 404. [2 U.S.C. 654] The General Accounting Office shall study those provisions of law which provide mandatory spending and report to the Congress its recommendations for the appropriate form of financing for activities or programs financed by such provisions not later than eighteen months after the effective date of this section. Such report shall be revised from time to time.

OFF-BUDGET AGENCIES, PROGRAMS, AND ACTIVITIES

SEC. 405. [2 U.S.C. 655] (a) Notwithstanding any other provision of law, budget authority, credit authority, and estimates of outlays and receipts for activities of the Federal budget which are off-budget immediately prior to the date of enactment of this section, not including activities of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, shall be included in a budget submitted pursuant to section 1105 of title 31, United States Code, and in a concurrent resolution on the budget reported pursuant to section 301 or section 304 of this Act and shall be considered, for purposes of this Act, budget authority, outlays, and spending authority in accordance with definitions set forth in this Act.

(b) All receipts and disbursements of the Federal Financing Bank with respect to any obligations which are issued, sold, or guaranteed by a Federal agency shall be treated as a means of financing such agency for purposes of section 1105 of title 31, United States Code, and for purposes of this Act.

MEMBER USER GROUP

SEC. 406. [2 U.S.C. 656] The Speaker of the House of Representatives, after consulting with the Minority Leader of the House, may appoint a Member User Group for the purpose of reviewing budgetary scorekeeping rules and practices of the House

and advising the Speaker from time to time on the effect and impact of such rules and practices.

PART B—FEDERAL MANDATES²⁰

SEC. 421. [2 U.S.C. 658] DEFINITIONS.

For purposes of this part:

(1) AGENCY.—The term “agency” has the same meaning as defined in section 551(1) of title 5, United States Code, but does not include independent regulatory agencies.

(2) AMOUNT.—The term “amount”, with respect to an authorization of appropriations for Federal financial assistance, means the amount of budget authority for any Federal grant assistance program or any Federal program providing loan guarantees or direct loans.

(3) DIRECT COSTS.—The term “direct costs”—

(A)(i) in the case of a Federal intergovernmental mandate, means the aggregate estimated amounts that all State, local, and tribal governments would be required to spend or would be prohibited from raising in revenues in order to comply with the Federal intergovernmental mandate; or

(ii) in the case of a provision referred to in paragraph (5)(A)(ii), means the amount of Federal financial assistance eliminated or reduced;

(B) in the case of a Federal private sector mandate, means the aggregate estimated amounts that the private sector will be required to spend in order to comply with the Federal private sector mandate;

(C) shall be determined on the assumption that—

(i) State, local, and tribal governments, and the private sector will take all reasonable steps necessary to mitigate the costs resulting from the Federal mandate, and will comply with applicable standards of practice and conduct established by recognized professional or trade associations; and

(ii) reasonable steps to mitigate the costs shall not include increases in State, local, or tribal taxes or fees; and

(D) shall not include—

(i) estimated amounts that the State, local, and tribal governments (in the case of a Federal intergovernmental mandate) or the private sector (in the case of a Federal private sector mandate) would spend—

(I) to comply with or carry out all applicable Federal, State, local, and tribal laws and regulations in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that Federal mandate; or

(II) to comply with or carry out State, local, and tribal governmental programs, or private-sec-

²⁰This part was added to title IV of the Congressional Budget and Impoundment Control Act of 1974 by section 101(a)(2) of the Unfunded Mandates Reform Act of 1995 (P.L. 104-4; 109 Stat. 50).

tor business or other activities in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that mandate; or

(ii) expenditures to the extent that such expenditures will be offset by any direct savings to the State, local, and tribal governments, or by the private sector, as a result of—

(I) compliance with the Federal mandate; or

(II) other changes in Federal law or regulation that are enacted or adopted in the same bill or joint resolution or proposed or final Federal regulation and that govern the same activity as is affected by the Federal mandate.

(4) DIRECT SAVINGS.—The term “direct savings”, when used with respect to the result of compliance with the Federal mandate—

(A) in the case of a Federal intergovernmental mandate, means the aggregate estimated reduction in costs to any State, local, or tribal government as a result of compliance with the Federal intergovernmental mandate; and

(B) in the case of a Federal private sector mandate, means the aggregate estimated reduction in costs to the private sector as a result of compliance with the Federal private sector mandate.

(5) FEDERAL INTERGOVERNMENTAL MANDATE.—The term “Federal intergovernmental mandate” means—

(A) any provision in legislation, statute, or regulation that—

(i) would impose an enforceable duty upon State, local, or tribal governments, except—

(I) a condition of Federal assistance; or

(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B); or

(ii) would reduce or eliminate the amount of authorization of appropriations for—

(I) Federal financial assistance that would be provided to State, local, or tribal governments for the purpose of complying with any such previously imposed duty unless such duty is reduced or eliminated by a corresponding amount; or

(II) the control of borders by the Federal Government; or reimbursement to State, local, or tribal governments for the net cost associated with illegal, deportable, and excludable aliens, including court-mandated expenses related to emergency health care, education or criminal justice; when such a reduction or elimination would result in increased net costs to State, local, or tribal governments in providing education or emergency health care to, or incarceration of, illegal aliens; except that this subclause shall not be in effect with respect to a State, local, or tribal government, to the

extent that such government has not fully cooperated in the efforts of the Federal Government to locate, apprehend, and deport illegal aliens;

(B) any provision in legislation, statute, or regulation that relates to a then-existing Federal program under which \$500,000,000 or more is provided annually to State, local, and tribal governments under entitlement authority, if the provision—

(i)(I) would increase the stringency of conditions of assistance to State, local, or tribal governments under the program; or

(II) would place caps upon, or otherwise decrease, the Federal Government's responsibility to provide funding to State, local, or tribal governments under the program; and

(ii) the State, local, or tribal governments that participate in the Federal program lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the legislation, statute, or regulation.

(6) **FEDERAL MANDATE.**—The term “Federal mandate” means a Federal intergovernmental mandate or a Federal private sector mandate, as defined in paragraphs (5) and (7).

(7) **FEDERAL PRIVATE SECTOR MANDATE.**—The term “Federal private sector mandate” means any provision in legislation, statute, or regulation that—

(A) would impose an enforceable duty upon the private sector except—

(i) a condition of Federal assistance; or

(ii) a duty arising from participation in a voluntary Federal program; or

(B) would reduce or eliminate the amount of authorization of appropriations for Federal financial assistance that will be provided to the private sector for the purposes of ensuring compliance with such duty.

(8) **LOCAL GOVERNMENT.**—The term “local government” has the same meaning as defined in section 6501(6) of title 31, United States Code.

(9) **PRIVATE SECTOR.**—The term “private sector” means all persons or entities in the United States, including individuals, partnerships, associations, corporations, and educational and nonprofit institutions, but shall not include State, local, or tribal governments.

(10) **REGULATION; RULE.**—The term “regulation” or “rule” (except with respect to a rule of either House of the Congress) has the meaning of “rule” as defined in section 601(2) of title 5, United States Code.

(11) **SMALL GOVERNMENT.**—The term “small government” means any small governmental jurisdictions defined in section 601(5) of title 5, United States Code, and any tribal government.

(12) **STATE.**—The term “State” has the same meaning as defined in section 6501(9) of title 31, United States Code.

(13) **TRIBAL GOVERNMENT.**—The term “tribal government” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601 et seq.) which is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians.

SEC. 422. [2 U.S.C. 658a] EXCLUSIONS.

This part shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress that—

- (1) enforces constitutional rights of individuals;
- (2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;
- (3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;
- (4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;
- (5) is necessary for the national security or the ratification or implementation of international treaty obligations;
- (6) the President designates as emergency legislation and that the Congress so designates in statute; or
- (7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act (including taxes imposed by sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986 (relating to old-age, survivors, and disability insurance)).

SEC. 423. [2 U.S.C. 658b] DUTIES OF CONGRESSIONAL COMMITTEES.

(a) **IN GENERAL.**—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character that includes any Federal mandate, the report of the committee accompanying the bill or joint resolution shall contain the information required by subsections (c) and (d).

(b) **SUBMISSION OF BILLS TO THE DIRECTOR.**—When a committee of authorization of the Senate or the House of Representatives orders reported a bill or joint resolution of a public character, the committee shall promptly provide the bill or joint resolution to the Director of the Congressional Budget Office and shall identify to the Director any Federal mandates contained in the bill or resolution.

(c) **REPORTS ON FEDERAL MANDATES.**—Each report described under subsection (a) shall contain—

- (1) an identification and description of any Federal mandates in the bill or joint resolution, including the direct costs to State, local, and tribal governments, and to the private sector, required to comply with the Federal mandates;
- (2) a qualitative, and if practicable, a quantitative assessment of costs and benefits anticipated from the Federal man-

dates (including the effects on health and safety and the protection of the natural environment); and

(3) a statement of the degree to which a Federal mandate affects both the public and private sectors and the extent to which Federal payment of public sector costs or the modification or termination of the Federal mandate as provided under section 425(a)(2) would affect the competitive balance between State, local, or tribal governments and the private sector including a description of the actions, if any, taken by the committee to avoid any adverse impact on the private sector or the competitive balance between the public sector and the private sector.

(d) INTERGOVERNMENTAL MANDATES.—If any of the Federal mandates in the bill or joint resolution are Federal intergovernmental mandates, the report required under subsection (a) shall also contain—

(1)(A) a statement of the amount, if any, of increase or decrease in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable for activities of State, local, or tribal governments subject to the Federal intergovernmental mandates;

(B) a statement of whether the committee intends that the Federal intergovernmental mandates be partly or entirely unfunded, and if so, the reasons for that intention; and

(C) if funded in whole or in part, a statement of whether and how the committee has created a mechanism to allocate the funding in a manner that is reasonably consistent with the expected direct costs among and between the respective levels of State, local, and tribal government;

(2) any existing sources of Federal assistance in addition to those identified in paragraph (1) that may assist State, local, and tribal governments in meeting the direct costs of the Federal intergovernmental mandates; and

(3) if the bill or joint resolution would make the reduction specified in section 421(5)(B)(i)(II), a statement of how the committee specifically intends the States to implement the reduction and to what extent the legislation provides additional flexibility, if any, to offset the reduction.

(e) PREEMPTION CLARIFICATION AND INFORMATION.—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character, the committee report accompanying the bill or joint resolution shall contain, if relevant to the bill or joint resolution, an explicit statement on the extent to which the bill or joint resolution is intended to preempt any State, local, or tribal law, and, if so, an explanation of the effect of such preemption.

(f) PUBLICATION OF STATEMENT FROM THE DIRECTOR.—

(1) IN GENERAL.—Upon receiving a statement from the Director under section 424, a committee of the Senate or the House of Representatives shall publish the statement in the committee report accompanying the bill or joint resolution to

which the statement relates if the statement is available at the time the report is printed.

(2) OTHER PUBLICATION OF STATEMENT OF DIRECTOR.—If the statement is not published in the report, or if the bill or joint resolution to which the statement relates is expected to be considered by the Senate or the House of Representatives before the report is published, the committee shall cause the statement, or a summary thereof, to be published in the Congressional Record in advance of floor consideration of the bill or joint resolution.

SEC. 424. [2 U.S.C. 658c] DUTIES OF THE DIRECTOR; STATEMENTS ON BILLS AND JOINT RESOLUTIONS OTHER THAN APPROPRIATIONS BILLS AND JOINT RESOLUTIONS.

(a) FEDERAL INTERGOVERNMENTAL MANDATES IN REPORTED BILLS AND RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

(1) CONTENTS.—If the Director estimates that the direct cost of all Federal intergovernmental mandates in the bill or joint resolution will equal or exceed \$50,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal intergovernmental mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and brief explanations of the basis of the estimates) of—

(A) the total amount of direct cost of complying with the Federal intergovernmental mandates in the bill or joint resolution;

(B) if the bill or resolution contains an authorization of appropriations under section 425(a)(2)(B), the amount of new budget authority for each fiscal year for a period not to exceed 10 years beyond the effective date necessary for the direct cost of the intergovernmental mandate; and

(C) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable by State, local, or tribal governments for activities subject to the Federal intergovernmental mandates.

(3) ADDITIONAL FLEXIBILITY INFORMATION.—The Director shall include in the statement submitted under this subsection, in the case of legislation that makes changes as described in section 421(5)(B)(i)(II)—

(A) if no additional flexibility is provided in the legislation, a description of whether and how the States can offset the reduction under existing law; or

(B) if additional flexibility is provided in the legislation, whether the resulting savings would offset the reductions in that program assuming the States fully implement that additional flexibility.

(4) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement. If such determination is made by the Director, a point of order under this part shall lie only under section 425(a)(1) and as if the requirement of section 425(a)(1) had not been met.

(b) FEDERAL PRIVATE SECTOR MANDATES IN REPORTED BILLS AND JOINT RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

(1) CONTENTS.—If the Director estimates that the direct cost of all Federal private sector mandates in the bill or joint resolution will equal or exceed \$100,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal private sector mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and a brief explanation of the basis of the estimates) of—

(A) the total amount of direct costs of complying with the Federal private sector mandates in the bill or joint resolution; and

(B) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution usable by the private sector for the activities subject to the Federal private sector mandates.

(3) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement.

(c) LEGISLATION FALLING BELOW THE DIRECT COSTS THRESHOLDS.—If the Director estimates that the direct costs of a Federal mandate will not equal or exceed the thresholds specified in subsections (a) and (b), the Director shall so state and shall briefly explain the basis of the estimate.

(d) AMENDED BILLS AND JOINT RESOLUTIONS; CONFERENCE REPORTS.—If a bill or joint resolution is passed in an amended form (including if passed by one House as an amendment in the nature

of a substitute for the text of a bill or joint resolution from the other House) or is reported by a committee of conference in amended form, and the amended form contains a Federal mandate not previously considered by either House or which contains an increase in the direct cost of a previously considered Federal mandate, then the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in this subsection or a supplemental statement for the bill or joint resolution in that amended form.

SEC. 425. [2 U.S.C. 658d] LEGISLATION SUBJECT TO POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider—

(1) any bill or joint resolution that is reported by a committee unless the committee has published a statement of the Director on the direct costs of Federal mandates in accordance with section 423(f) before such consideration, except this paragraph shall not apply to any supplemental statement prepared by the Director under section 424(d); and

(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal intergovernmental mandates by an amount that causes the thresholds specified in section 424(a)(1) to be exceeded, unless—

(A) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for such mandates included in the bill, joint resolution, amendment, motion, or conference report in an amount equal to or exceeding the direct costs of such mandate; or

(B) the bill, joint resolution, amendment, motion, or conference report includes an authorization for appropriations in an amount equal to or exceeding the direct costs of such mandate, and—

(i) identifies a specific dollar amount of the direct costs of such mandate for each year up to 10 years during which such mandate shall be in effect under the bill, joint resolution, amendment, motion or conference report, and such estimate is consistent with the estimate determined under subsection (e) for each fiscal year;

(ii) identifies any appropriation bill that is expected to provide for Federal funding of the direct cost referred to under clause (i); and

(iii)(I) provides that for any fiscal year the responsible Federal agency shall determine whether there are insufficient appropriations for that fiscal year to provide for the direct costs under clause (i) of such mandate, and shall (no later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit either—

(aa) a statement that the agency has determined, based on a re-estimate of the direct costs

of such mandate, after consultation with State, local, and tribal governments, that the amount appropriated is sufficient to pay for the direct costs of such mandate; or

(bb) legislative recommendations for either implementing a less costly mandate or making such mandate ineffective for the fiscal year;

(II) provides for expedited procedures for the consideration of the statement or legislative recommendations referred to in subclause (I) by Congress no later than 30 days after the statement or recommendations are submitted to Congress; and

(III) provides that such mandate shall—

(aa) in the case of a statement referred to in subclause (I)(aa), cease to be effective 60 days after the statement is submitted unless Congress has approved the agency's determination by joint resolution during the 60-day period;

(bb) cease to be effective 60 days after the date the legislative recommendations of the responsible Federal agency are submitted to Congress under subclause (I)(bb) unless Congress provides otherwise by law; or

(cc) in the case that such mandate that has not yet taken effect, continue not to be effective unless Congress provides otherwise by law.

(b) **RULE OF CONSTRUCTION.**—The provisions of subsection (a)(2)(B)(iii) shall not be construed to prohibit or otherwise restrict a State, local, or tribal government from voluntarily electing to remain subject to the original Federal intergovernmental mandate, complying with the programmatic or financial responsibilities of the original Federal intergovernmental mandate and providing the funding necessary consistent with the costs of Federal agency assistance, monitoring, and enforcement.

(c) **COMMITTEE ON APPROPRIATIONS.**—

(1) **APPLICATION.**—The provisions of subsection (a)—

(A) shall not apply to any bill or resolution reported by the Committee on Appropriations of the Senate or the House of Representatives; except

(B) shall apply to—

(i) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(ii) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendment offered to a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(iii) any legislative provision increasing direct costs of a Federal intergovernmental mandate in a conference report accompanying a bill or resolution re-

ported by the Committee on Appropriations of the Senate or House of Representatives; and

(iv) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendments in disagreement between the two Houses to any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives.

(2) CERTAIN PROVISIONS STRICKEN IN SENATE.—Upon a point of order being made by any Senator against any provision listed in paragraph (1)(B), and the point of order being sustained by the Chair, such specific provision shall be deemed stricken from the bill, resolution, amendment, amendment in disagreement, or conference report and may not be offered as an amendment from the floor.

(d) DETERMINATIONS OF APPLICABILITY TO PENDING LEGISLATION.—For purposes of this section, in the Senate, the presiding officer of the Senate shall consult with the Committee on Governmental Affairs, to the extent practicable, on questions concerning the applicability of this part to a pending bill, joint resolution, amendment, motion, or conference report.

(e) DETERMINATIONS OF FEDERAL MANDATE LEVELS.—For purposes of this section, in the Senate, the levels of Federal mandates for a fiscal year shall be determined based on the estimates made by the Committee on the Budget.

SEC. 426. [2 U.S.C. 658e] PROVISIONS RELATING TO THE HOUSE OF REPRESENTATIVES.

(a) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of section 425.

(b) DISPOSITION OF POINTS OF ORDER.—

(1) APPLICATION TO THE HOUSE OF REPRESENTATIVES.—This subsection shall apply only to the House of Representatives.

(2) THRESHOLD BURDEN.—In order to be cognizable by the Chair, a point of order under section 425 or subsection (a) of this section must specify the precise language on which it is premised.

(3) QUESTION OF CONSIDERATION.—As disposition of points of order under section 425 or subsection (a) of this section, the Chair shall put the question of consideration with respect to the proposition that is the subject of the points of order.

(4) DEBATE AND INTERVENING MOTIONS.—A question of consideration under this section shall be debatable for 10 minutes by each Member initiating a point of order and for 10 minutes by an opponent on each point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

(5) EFFECT ON AMENDMENT IN ORDER AS ORIGINAL TEXT.—The disposition of the question of consideration under this subsection with respect to a bill or joint resolution shall be considered also to determine the question of consideration under this subsection with respect to an amendment made in order as original text.

SEC. 427. [2 U.S.C. 658f] REQUESTS TO THE CONGRESSIONAL BUDGET OFFICE FROM SENATORS.

At the written request of a Senator, the Director shall, to the extent practicable, prepare an estimate of the direct costs of a Federal intergovernmental mandate contained in an amendment of such Senator.

SEC. 428. [2 U.S.C. 658g] CLARIFICATION OF APPLICATION.

(a) **IN GENERAL.**—This part applies to any bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out any statute, or that otherwise amends any statute, only if enactment of the bill, joint resolution, amendment, motion, or conference report—

(1) would result in a net reduction in or elimination of authorization of appropriations for Federal financial assistance that would be provided to State, local, or tribal governments for use for the purpose of complying with any Federal intergovernmental mandate, or to the private sector for use to comply with any Federal private sector mandate, and would not eliminate or reduce duties established by the Federal mandate by a corresponding amount; or

(2) would result in a net increase in the aggregate amount of direct costs of Federal intergovernmental mandates or Federal private sector mandates other than as described in paragraph (1).

(b) **DIRECT COSTS.**—

(1) **IN GENERAL.**—For purposes of this part, the direct cost of the Federal mandates in a bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out a statute, or that otherwise amends any statute, means the net increase, resulting from enactment of the bill, joint resolution, amendment, motion, or conference report, in the amount described under paragraph (2)(A) over the amount described under paragraph (2)(B).

(2) **AMOUNTS.**—The amounts referred to under paragraph (1) are—

(A) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report is enacted; and

(B) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report were not enacted.

(3) **EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.**—For purposes of this section, in the case of legislation to extend authorization of appropriations, the authorization level that would be provided by the extension shall be compared to the authorization level for the last year in which authorization of appropriations is already provided.

TITLE V—CREDIT REFORM

SEC. 500. SHORT TITLE.

This title may be cited as the “Federal Credit Reform Act of 1990”.

SEC. 501. [2 U.S.C. 661] PURPOSES.

The purposes of this title are to—

- (1) measure more accurately the costs of Federal credit programs;
- (2) place the cost of credit programs on a budgetary basis equivalent to other Federal spending;
- (3) encourage the delivery of benefits in the form most appropriate to the needs of beneficiaries; and
- (4) improve the allocation of resources among credit programs and between credit and other spending programs.

SEC. 502. [2 U.S.C. 661a] DEFINITIONS.

For purposes of this title—

(1) The term “direct loan” means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of such funds with or without interest. The term includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a government asset on credit terms. The term does not include the acquisition of a federally guaranteed loan in satisfaction of default claims or the price support loans of the Commodity Credit Corporation.

(2) The term “direct loan obligation” means a binding agreement by a Federal agency to make a direct loan when specified conditions are fulfilled by the borrower.

(3) The term “loan guarantee” means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

(4) The term “loan guarantee commitment” means a binding agreement by a Federal agency to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

(5)(A) The term “cost” means the estimated long-term cost to the Government of a direct loan or loan guarantee or modification thereof, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

(B) The cost of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following estimated cash flows:

- (i) loan disbursements;
- (ii) repayments of principal; and
- (iii) payments of interest and other payments by or to the Government over the life of the loan after adjusting for

estimated defaults, prepayments, fees, penalties, and other recoveries;
including the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

(C) The cost of a loan guarantee shall be the net present value, at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

(i) payments by the Government to cover defaults and delinquencies, interest subsidies, or other payments; and

(ii) payments to the Government including origination and other fees, penalties and recoveries;
including the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee contract, or by the borrower of an option included in the guaranteed loan contract.

(D) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of a direct loan or loan guarantee contract, and the current estimate of the net present value of the remaining cash flows under the terms of the contract, as modified.

(E) In estimating net present values, the discount rate shall be the average interest rate on marketable Treasury securities of similar maturity to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

(F) When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the current assumptions, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

(6) The term "credit program account" means the budget account into which an appropriation to cover the cost of a direct loan or loan guarantee program is made and from which such cost is disbursed to the financing account.

(7) The term "financing account" means the non-budget account or accounts associated with each credit program account which holds balances, receives the cost payment from the credit program account, and also includes all other cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

(8) The term "liquidating account" means the budget account that includes all cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991. These accounts shall be shown in the budget on a cash basis.

(9) The term "modification" means any Government action that alters the estimated cost of an outstanding direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) from the current estimate of cash flows. This includes the sale of loan assets, with or without recourse, and the purchase of guaranteed loans. This also includes any action resulting from new legislation, or from the exercise of administrative discretion under existing law, that

directly or indirectly alters the estimated cost of outstanding direct loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) such as a change in collection procedures.

(10) The term “current” has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(11) The term “Director” means the Director of the Office of Management and Budget.

SEC. 503. [2 U.S.C. 661b] OMB AND CBO ANALYSIS, COORDINATION, AND REVIEW.

(a) **IN GENERAL.**—For the executive branch, the Director shall be responsible for coordinating the estimates required by this title. The Director shall consult with the agencies that administer direct loan or loan guarantee programs.

(b) **DELEGATION.**—The Director may delegate to agencies authority to make estimates of costs. The delegation of authority shall be based upon written guidelines, regulations, or criteria consistent with the definitions in this title.

(c) **COORDINATION WITH THE CONGRESSIONAL BUDGET OFFICE.**—In developing estimation guidelines, regulations, or criteria to be used by Federal agencies, the Director shall consult with the Director of the Congressional Budget Office.

(d) **IMPROVING COST ESTIMATES.**—The Director and the Director of the Congressional Budget Office shall coordinate the development of more accurate data on historical performance of direct loan and loan guarantee programs. They shall annually review the performance of outstanding direct loans and loan guarantees to improve estimates of costs. The Office of Management and Budget and the Congressional Budget Office shall have access to all agency data that may facilitate the development and improvement of estimates of costs.

(e) **HISTORICAL CREDIT PROGRAM COSTS.**—The Director shall review, to the extent possible, historical data and develop the best possible estimates of adjustments that would convert aggregate historical budget data to credit reform accounting.

(f) **ADMINISTRATIVE COSTS.**—The Director and the Director of the Congressional Budget Office shall each analyze and report to Congress on differences in long-term administrative costs for credit programs versus grant programs by January 31, 1992. Their reports shall recommend to Congress any changes, if necessary, in the treatment of administrative costs under credit reform accounting.

SEC. 504. [2 U.S.C. 661c] BUDGETARY TREATMENT.

(a) **PRESIDENT’S BUDGET.**—Beginning with fiscal year 1992, the President’s budget shall reflect the costs of direct loan and loan guarantee programs. The budget shall also include the planned level of new direct loan obligations or loan guarantee commitments associated with each appropriations request.

(b) **APPROPRIATIONS REQUIRED.**—Notwithstanding any other provision of law, new direct loan obligations may be incurred and new loan guarantee commitments may be made for fiscal year 1992 and thereafter only to the extent that—

(1) new budget authority to cover their costs is provided in advance in an appropriations Act;

(2) a limitation on the use of funds otherwise available for the cost of a direct loan or loan guarantee program has been provided in advance in an appropriations Act; or

(3) authority is otherwise provided in appropriation Acts.

(c) EXEMPTION FOR MANDATORY PROGRAMS.—Subsections (b) and (e) shall not apply to a direct loan or loan guarantee program that—

(1) constitutes an entitlement (such as the guaranteed student loan program or the veterans' home loan guaranty program); or

(2) all existing credit programs of the Commodity Credit Corporation on the date of enactment of this title.

(d) BUDGET ACCOUNTING.—

(1) The authority to incur new direct loan obligations, make new loan guarantee commitments, or modify outstanding direct loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) shall constitute new budget authority in an amount equal to the cost of the direct loan or loan guarantee in the fiscal year in which definite authority becomes available or indefinite authority is used. Such budget authority shall constitute an obligation of the credit program account to pay to the financing account.

(2) The outlays resulting from new budget authority for the cost of direct loans or loan guarantees described in paragraph (1) shall be paid from the credit program account into the financing account and recorded in the fiscal year in which the direct loan or the guaranteed loan is disbursed or its costs altered.

(3) All collections and payments of the financing accounts shall be a means of financing.

(e) MODIFICATIONS.—An outstanding direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) shall not be modified in a manner that increases its costs unless budget authority for the additional cost has been provided in advance in an appropriations Act.

(f) REESTIMATES.—When the estimated cost for a group of direct loans or loan guarantees for a given credit program made in a single fiscal year is reestimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be displayed as a distinct and separately identified subaccount in the credit program account as a change in program costs and a change in net interest. There is hereby provided permanent indefinite authority for these reestimates.

(g) ADMINISTRATIVE EXPENSES.—All funding for an agency's administration of a direct loan or loan guarantee program shall be displayed as distinct and separately identified subaccounts within the same budget account as the program's cost.

SEC. 505. [2 U.S.C. 661d] AUTHORIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR COSTS.—There are authorized to be appropriated to each Federal agency authorized to make direct loan obligations or loan guarantee commitments, such

sums as may be necessary to pay the cost associated with such direct loan obligations or loan guarantee commitments.

(b) AUTHORIZATION FOR FINANCING ACCOUNTS.—In order to implement the accounting required by this title, the President is authorized to establish such non-budgetary accounts as may be appropriate.

(c) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay to the financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above, except that the rate of interest charged by the Secretary on lending to financing accounts (including amounts treated as lending to financing accounts by the Federal Financing Bank (hereinafter in this subsection referred to as the “Bank”) pursuant to section 405(b)) and the rate of interest paid to financing accounts on uninvested balances in financing accounts shall be the same as the rate determined pursuant to section 502(5)(E). For guaranteed loans financed by the Bank and treated as direct loans by a Federal agency pursuant to section 405(b), any fee or interest surcharge (the amount by which the interest rate charged exceeds the rate determined pursuant to section 502(5)(E)) that the Bank charges to a private borrower pursuant to section 6(c) of the Federal Financing Bank Act of 1973 shall be considered a cash flow to the Government for the purposes of determining the cost of the direct loan pursuant to section 502(5). All such amounts shall be credited to the appropriate financing account. The Bank is authorized to require reimbursement from a Federal agency to cover the administrative expenses of the Bank that are attributable to the direct loans financed for that agency. All such payments by an agency shall be considered administrative expenses subject to section 504(g). This subsection shall apply to transactions related to direct loan obligations or loan guarantee commitments made on or after October 1, 1991. The authorities described above shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate a direct loan or loan guarantee program. All of the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds.

(d) AUTHORIZATION FOR LIQUIDATING ACCOUNTS.—(1) Amounts in liquidating accounts shall be available only for payments resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991, for—

- (A) interest payments and principal repayments to the Treasury or the Federal Financing Bank for amounts borrowed;
- (B) disbursements of loans;
- (C) default and other guarantee claim payments;
- (D) interest supplement payments;

(E) payments for the costs of foreclosing, managing, and selling collateral that are capitalized or routinely deducted from the proceeds of sales;

(F) payments to financing accounts when required for modifications;

(G) administrative expenses, if—

(i) amounts credited to the liquidating account would have been available for administrative expenses under a provision of law in effect prior to October 1, 1991; and

(ii) no direct loan obligation or loan guarantee commitment has been made, or any modification of a direct loan or loan guarantee has been made, since September 30, 1991; or

(H) such other payments as are necessary for the liquidation of such direct loan obligations and loan guarantee commitments.

(2) Amounts credited to liquidating accounts in any year shall be available only for payments required in that year. Any unobligated balances in liquidating accounts at the end of a fiscal year shall be transferred to miscellaneous receipts as soon as practicable after the end of the fiscal year.

(3) If funds in liquidating accounts are insufficient to satisfy obligations and commitments of such accounts, there is hereby provided permanent, indefinite authority to make any payments required to be made on such obligations and commitments.

(e) **AUTHORIZATION OF APPROPRIATIONS FOR IMPLEMENTATION EXPENSES.**—There are authorized to be appropriated to existing accounts such sums as may be necessary for salaries and expenses to carry out the responsibilities under this title.

(f) **REINSURANCE.**—Nothing in this title shall be construed as authorizing or requiring the purchase of insurance or reinsurance on a direct loan or loan guarantee from private insurers. If any such reinsurance for a direct loan or loan guarantee is authorized, the cost of such insurance and any recoveries to the Government shall be included in the calculation of the cost.

(g) **ELIGIBILITY AND ASSISTANCE.**—Nothing in this title shall be construed to change the authority or the responsibility of a Federal agency to determine the terms and conditions of eligibility for, or the amount of assistance provided by a direct loan or a loan guarantee.

SEC. 506. [2 U.S.C. 661e] TREATMENT OF DEPOSIT INSURANCE AND AGENCIES AND OTHER INSURANCE PROGRAMS.

(a) **IN GENERAL.**—This title shall not apply to the credit or insurance activities of the Federal Deposit Insurance Corporation, National Credit Union Administration, Resolution Trust Corporation, Pension Benefit Guaranty Corporation, National Flood Insurance, National Insurance Development Fund, Crop Insurance, or Tennessee Valley Authority.

(b) **STUDY.**—The Director and the Director of the Congressional Budget Office shall each study whether the accounting for Federal deposit insurance programs should be on a cash basis on the same basis as loan guarantees, or on a different basis. Each Director shall report findings and recommendations to the President and the Congress on or before May 31, 1991.

(c) ACCESS TO DATA.—For the purposes of subsection (b), the Office of Management and Budget and the Congressional Budget Office shall have access to all agency data that may facilitate these studies.

SEC. 507. [2 U.S.C. 661f] EFFECT ON OTHER LAWS.

(a) EFFECT ON OTHER LAWS.—This title shall supersede, modify, or repeal any provision of law enacted prior to the date of enactment of this title to the extent such provision is inconsistent with this title. Nothing in this title shall be construed to establish a credit limitation on any Federal loan or loan guarantee program.

(b) CREDITING OF COLLECTIONS.—Collections resulting from direct loans obligated or loan guarantees committed prior to October 1, 1991, shall be credited to the liquidating accounts of Federal agencies. Amounts so credited shall be available, to the same extent that they were available prior to the date of enactment of this title, to liquidate obligations arising from such direct loans obligated or loan guarantees committed prior to October 1, 1991, including repayment of any obligations held by the Secretary of the Treasury or the Federal Financing Bank. The unobligated balances of such accounts that are in excess of current needs shall be transferred to the general fund of the Treasury. Such transfers shall be made from time to time but, at least once each year.

【Title VI was repealed by §10118(a) of Public Law 105–33 (111 Stat. 695)】

TITLE VII—PROGRAM REVIEW AND EVALUATION

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CONTINUING STUDY OF ADDITIONAL BUDGET REFORM PROPOSALS

SEC. 703. [2 U.S.C. 623] (a) The Committees on the Budget of the House of Representatives and the Senate shall study on a continuing basis proposals designed to improve and facilitate methods of congressional budgetmaking. The proposals to be studied shall include, but are not limited to, proposals for—

(1) improving the information base required for determining the effectiveness of new programs by such means as pilot testing, survey research, and other experimental and analytical techniques;

(2) improving analytical and systematic evaluation of the effectiveness of existing programs;

(3) establishing maximum and minimum time limitations for program authorization; and

(4) developing techniques of human resource accounting and other means of providing noneconomic as well as economic evaluation measures.

(b) The Committee on the Budget of each House shall, from time to time, report to its House the results of the study carried on by it under subsection (a), together with its recommendations.

(c) Nothing in this section shall preclude studies to improve the budgetary process by any other committee of the House of Representatives or the Senate or any joint committee of the Congress.

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TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE
DATES

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EXERCISE OF RULEMAKING POWERS

SEC. 904. [2 U.S.C. 621 note] (a) The provisions of this title and of titles I, III, IV, and V and the provisions of sections 701, 703, and 1017 are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(b) Any provision of title III or IV may be waived or suspended in the Senate by a majority vote of the Members voting, a quorum being present, or by the unanimous consent of the Senate.

(c) WAIVERS.—

(1) PERMANENT.—Sections 305(b)(2), 305(c)(4), 306, 310(d)(2), 313, 904(c), and 904(d) of this Act may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) TEMPORARY.—Sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), 312(c), 314(e), and 314(f) of this Act and sections 258(a)(4)(C), 258A(b)(3)(C)(i), 258B(f)(1), 258B(h)(1), 258B(h)(3), 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—

(1) PROCEDURE.—Appeals in the Senate from the decisions of the Chair relating to any provision of title III or IV or section 1017 shall, except as otherwise provided therein, be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, concurrent resolution, reconciliation bill, or rescission bill, as the case may be.

(2) PERMANENT.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under sections 305(b)(2), 305(c)(4), 306, 310(d)(2), 313, 904(c), and 904(d) of this Act.

(3) TEMPORARY.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), 312(c), 314(e), and 314(f) of this Act and sections 258(a)(4)(C), 258A(b)(3)(C)(i), 258B(f)(1), 258B(h)(1), 258B(h)(3),

258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) EXPIRATION OF CERTAIN SUPERMAJORITY VOTING REQUIREMENTS.—Subsections (c)(2) and (d)(3) shall expire on September 30, 2002.

* * * * *

TITLE X—IMPOUNDMENT CONTROL

PART A—GENERAL PROVISIONS

DISCLAIMER

SEC. 1001. [2 U.S.C. 681] Nothing contained in this Act, or in any amendments made by this Act, shall be construed as—

(1) asserting or conceding the constitutional powers or limitations of either the Congress or the President;

(2) ratifying or approving any impoundment heretofore or hereafter executed or approved by the President or any other Federal officer or employee, except insofar as pursuant to statutory authorization then in effect;

(3) affecting in any way the claims or defenses of any party to litigation concerning any impoundment; or

(4) superseding any provision of law which requires the obligation of budget authority or the making of outlays thereunder.

* * * * *

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

DEFINITIONS

SEC. 1011. [2 U.S.C. 682] For purposes of this part—

(1) “deferral of budget authority” includes—

(A) withholding or delaying the obligations or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or

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

(2) “Comptroller General” means the Comptroller General of the United States;

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

(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 authority set

forth in a special message transmitted by the President under section 1013; and

(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) of this section and in section 1012, and the 25-day periods referred to in sections 1016 and 1017(b)(1). If a special message is transmitted under section 1012 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) of this section and section 1012 (with respect to such message) shall commence on the day after such first day.

RESCISSION OF BUDGET AUTHORITY

SEC. 1012. [2 U.S.C. 683] (a) TRANSMITTAL OF SPECIAL MESSAGE.—Whenever the President determines that all or part of any budget authority will not be required to carry out the full objectives or scope of programs for which it is provided or that such budget authority should be rescinded for fiscal policy or other reasons (including the determination of authorized projects or activities for which budget authority has been provided), or whenever all or part of budget authority provided for only one fiscal year is to be reserved from obligation for such fiscal year, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority which he proposes to be rescinded or which is to be so reserved;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons why the budget authority should be rescinded or is to be so reserved;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the proposed rescission or of the reservation; and

(5) all facts, circumstances, and considerations relating to or bearing upon the proposed rescission or the reservation and the decision to effect the proposed rescission or the reservation, and to the maximum extent practicable, the estimated effect of the proposed rescission or the reservation upon the objects, purposes, and programs for which the budget authority is provided.

(b) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—Any amount of budget authority proposed to be rescinded or that is to be reserved as set forth in such special message shall be made available for obligation unless, within the prescribed 45-day period, the Congress has completed action on a rescission bill rescinding

all or part of the amount proposed to be rescinded or that is to be reserved. Funds made available for obligation under this procedure may not be proposed for rescission again.

PROPOSED DEFERRALS OF BUDGET AUTHORITY

SEC. 1013. [2 U.S.C. 684] (a) TRANSMITTAL OF SPECIAL MESSAGE.—Whenever the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States, or any officer or employee of the United States proposes to defer any budget authority provided for a specific purpose or project, the President shall transmit to the House of Representatives and the Senate a special message specifying—

(1) the amount of the budget authority proposed to be deferred;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the period of time during which the budget authority is proposed to be deferred;

(4) the reasons for the proposed deferral, including any legal authority invoked to justify the proposed deferral;

(5) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the proposed deferral; and

(6) all facts, circumstances, and considerations relating to or bearing upon the proposed deferral and the decision to effect the proposed deferral, including an analysis of such facts, circumstances, and considerations in terms of their application to any legal authority, including specific elements of legal authority, invoked to justify such proposed deferral, and to the maximum extent practicable, the estimated effect of the proposed deferral upon the objects, purposes, and programs for which the budget authority is provided.

A special message may include one or more proposed deferrals of budget authority. A deferral may not be proposed for any period of time extending beyond the end of the fiscal year in which the special message proposing the deferral is transmitted to the House and the Senate.

(b) CONSISTENCY WITH LEGISLATIVE POLICY.—Deferrals shall be permissible only—

(1) to provide for contingencies;

(2) to achieve savings made possible by or through changes in requirements or greater efficiency of operations; or

(3) as specifically provided by law.

No officer or employee of the United States may defer any budget authority for any other purpose.

(c) EXCEPTION.—The provisions of this section do not apply to any budget authority proposed to be rescinded or that is to be reserved as set forth in a special message required to be transmitted under section 1012.

TRANSMISSION OF MESSAGES; PUBLICATION

SEC. 1014. [2 U.S.C. 685] (a) DELIVERY TO HOUSE AND SENATE.—Each special message transmitted under section 1012 or 1013 shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committee of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(b) DELIVERY TO COMPTROLLER GENERAL.—A copy of each special message transmitted under section 1012 or 1013 shall be transmitted to the Comptroller General on the same day it is transmitted to the House of Representatives and the Senate. In order to assist the Congress in the exercise of its functions under sections 1012 and 1013, the Comptroller General shall review each such message and inform the House of Representatives and the Senate as promptly as practicable with respect to—

(1) in the case of a special message transmitted under section 1012, the facts surrounding the proposed rescission or the reservation of budget authority (including the probable effects thereof); and

(2) in the case of a special message transmitted under section 1013, (A) the facts surrounding each proposed deferral of budget authority (including the probable effects thereof) and (B) whether or not (or to what extent), in his judgment, such proposed deferral is in accordance with existing statutory authority.

(c) TRANSMISSION OF SUPPLEMENTARY MESSAGES.—If any information contained in a special message transmitted under section 1012 or 1013 is subsequently revised, the President shall transmit to both Houses of Congress and the Comptroller General a supplementary message stating and explaining such revision. Any such supplementary message shall be delivered, referred, and printed as provided in subsection (a). The Comptroller General shall promptly notify the House of Representatives and the Senate of any change in the information submitted by him under subsection (b) which may be necessitated by such revision.

(d) PRINTING IN FEDERAL REGISTER.—Any special message transmitted under section 1012 or 1013, and any supplementary message transmitted under subsection (c), shall be printed in the first issue of the Federal Register published after such transmittal.

(e) CUMULATIVE REPORTS OF PROPOSED RESCISSIONS, RESERVATIONS, AND DEFERRALS OF BUDGET AUTHORITY.—

(1) The President shall submit a report to the House of Representatives and the Senate, not later than the 10th day of each month during a fiscal year, listing all budget authority for that fiscal year with respect to which, as of the first day of such month—

(A) he has transmitted a special message under section 1012 with respect to a proposed rescission or a reservation; and

(B) he has transmitted a special message under section 1013 proposing a deferral.

Such report shall also contain, with respect to each such proposed rescission or deferral, or each such reservation, the information required to be submitted in the special message with respect thereto under section 1012 or 1013.

(2) Each report submitted under paragraph (1) shall be printed in the first issue of the Federal Register published after its submission.

REPORTS BY COMPTROLLER GENERAL

SEC. 1015. [2 U.S.C. 686] (a) FAILURE TO TRANSMIT SPECIAL MESSAGE.—If the Comptroller General finds that the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States, or any other officer or employee of the United States—

(1) is to establish a reserve or proposes to defer budget authority with respect to which the President is required to transmit a special message under section 1012 or 1013; or

(2) has ordered, permitted, or approved the establishment of such a reserve or a deferral of budget authority;

and that the President has failed to transmit a special message with respect to such reserve or deferral, the Comptroller General shall make a report on such reserve or deferral and any available information concerning it to both Houses of Congress. The provisions of this part shall apply with respect to such reserve or deferral in the same manner and with the same effect as if such report of the Comptroller General were a special message transmitted by the President under section 1012 or 1013, and, for purposes of this part, such report shall be considered a special message transmitted under section 1012 or 1013.

(b) INCORRECT CLASSIFICATION OF SPECIAL MESSAGE.—If the President has transmitted a special message to both Houses of Congress in accordance with section 1012 or 1013, and the Comptroller General believes that the President so transmitted the special message in accordance with one of those sections when the special message should have been transmitted in accordance with the other of those sections, the Comptroller General shall make a report to both Houses of the Congress setting forth his reasons.

SUITS BY COMPTROLLER GENERAL

SEC. 1016. [2 U.S.C. 687] If, under this title, budget authority is required to be made available for obligation and such budget authority is not made available for obligation, the Comptroller General is hereby expressly empowered, through attorneys of his own selection, to bring a civil action in the United States District Court for the District of Columbia to require such budget authority to be made available for obligation, and such court is hereby expressly empowered to enter in such civil action, against any department, agency, officer, or employee of the United States, any decree, judgment, or order, which may be necessary or appropriate to make such budget authority available for obligation. No civil action shall be brought by the Comptroller General under this section until the

expiration of 25 calendar days of continuous session of the Congress following the date on which an explanatory statement by the Comptroller General of the circumstances giving rise to the action contemplated has been filed with the Speaker of the House of Representatives and the President of the Senate.

PROCEDURE IN HOUSE AND SENATE

SEC. 1017. [2 U.S.C. 688] (a) REFERRAL.—Any rescission bill introduced with respect to a special message or impoundment resolution introduced with respect to a proposed deferral of budget authority shall be referred to the appropriate committee of the House of Representatives or the Senate, as the case may be.

(b) DISCHARGE OF COMMITTEE.—

(1) If the committee to which a rescission bill or impoundment resolution has been referred has not reported it at the end of 25 calendar days of continuous session of the Congress after its introduction, it is in order to move either to discharge the committee from further consideration of the bill or resolution or to discharge the committee from further consideration of any other rescission bill with respect to the same special message or impoundment resolution with respect to the same proposed deferral, as the case may be, which has been referred to the committee.

(2) A motion to discharge may be made only by an individual favoring the bill or resolution, may be made only if supported by one-fifth of the Members of the House involved (a quorum being present), and is highly privileged in the House and privileged in the Senate (except that it may not be made after the committee has reported a bill or resolution with respect to the same special message or the same proposed deferral, as the case may be); and debate thereon shall be limited to not more than 1 hour, the time to be divided in the House equally between those favoring and those opposing the bill or resolution, and to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(c) FLOOR CONSIDERATION IN THE HOUSE.—

(1) When the committee of the House of Representatives has reported, or has been discharged from further consideration of a rescission bill or impoundment resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the bill or resolution. The motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on a rescission bill or impoundment resolution shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the bill or resolution. A motion further to limit debate shall not be debatable. In the case of an impoundment resolution, no

amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order to move to reconsider the vote by which a rescission bill or impoundment resolution is agreed to or disagreed to.

(3) Motions to postpone, made with respect to the consideration of a rescission bill or impoundment resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any rescission bill or impoundment resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of any rescission bill or impoundment resolution and amendments thereto (or any conference report thereon) shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions, amendments, and conference reports in similar circumstances.

(d) FLOOR CONSIDERATION IN THE SENATE.—

(1) Debate in the Senate on any rescission bill or impoundment resolution, and all amendments thereto (in the case of a rescission bill) and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a rescission bill shall be limited to 2 hours, to be equally divided between, and controlled by, the mover and the manager of the bill. Debate on any amendment to an amendment, to such a bill, and debate on any debatable motion or appeal in connection with such a bill or an impoundment resolution shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill or resolution, except that in the event the manager of the bill or resolution is in favor in any such amendment, motion, or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of a rescission bill shall be received. Such leaders, or either of them, may, from the time under their control on the passage of a rescission bill or impoundment resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) A motion to further limit debate is not debatable. In the case of a rescission bill, a motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution. In the case of an impoundment resolution, no amendment or motion to recommit is in order.

(4) The conference report on any rescission bill shall be in order in the Senate at any time after the third day (excluding Saturdays, Sundays, and legal holidays) following the day on which such a conference report is reported and is available to Members of the Senate. A motion to proceed to the consideration of the conference report may be made even though a previous motion to the same effect has been disagreed to.

(5) During the consideration in the Senate of the conference report on any rescission bill, debate shall be limited to 2 hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 30 minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(6) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to one hour, to be equally divided, between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to 30 minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between, and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(7) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

NOTE:

CONSTITUTIONALITY OF LINE ITEM VETO

The United States Supreme Court, in *Clinton v. City of New York*, U.S. Dist. Col. 1998, 118 S.Ct. 2091, 141 L.Ed.2d 393, found that the Line Item Veto Act of 1996, Pub.L. 104-130, April 9, 1996, 110 Stat. 1200, which is part C of title X of the Congressional Budget and Impoundment Control Act of 1974, was unconstitutional as a violation of the Presentment Clause of the United States Constitution (Art. I, §7, cl. 2).

PART C—LINE ITEM VETO

LINE ITEM VETO AUTHORITY

SEC. 1021. [2 U.S.C. 691] (a) IN GENERAL.—Notwithstanding the provisions of parts A and B, and subject to the provisions of this part, the President may, with respect to any bill or joint reso-

lution that has been signed into law pursuant to Article I, section 7, of the Constitution of the United States, cancel in whole—

- (1) any dollar amount of discretionary budget authority;
- (2) any item of new direct spending; or
- (3) any limited tax benefit;

if the President—

(A) determines that such cancellation will—

- (i) reduce the Federal budget deficit;
- (ii) not impair any essential Government functions;

and

(iii) not harm the national interest; and

(B) notifies the Congress of such cancellation by transmitting a special message, in accordance with section 1022, within five calendar days (excluding Sundays) after the enactment of the law providing the dollar amount of discretionary budget authority, item of new direct spending, or limited tax benefit that was canceled.

(b) IDENTIFICATION OF CANCELLATIONS.—In identifying dollar amounts of discretionary budget authority, items of new direct spending, and limited tax benefits for cancellation, the President shall—

(1) consider the legislative history, construction, and purposes of the law which contains such dollar amounts, items, or benefits;

(2) consider any specific sources of information referenced in such law or, in the absence of specific sources of information, the best available information; and

(3) use the definitions contained in section 1026 in applying this part to the specific provisions of such law.

(c) EXCEPTION FOR DISAPPROVAL BILLS.—The authority granted by subsection (a) shall not apply to any dollar amount of discretionary budget authority, item of new direct spending, or limited tax benefit contained in any law that is a disapproval bill as defined in section 1026.

SPECIAL MESSAGES

SEC. 1022. [2 U.S.C. 691a] (a) IN GENERAL.—For each law from which a cancellation has been made under this part, the President shall transmit a single special message to the Congress.

(b) CONTENTS.—

(1) The special message shall specify—

(A) the dollar amount of discretionary budget authority, item of new direct spending, or limited tax benefit which has been canceled, and provide a corresponding reference number for each cancellation;

(B) the determinations required under section 1021(a), together with any supporting material;

(C) the reasons for the cancellation;

(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the cancellation;

(E) all facts, circumstances and considerations relating to or bearing upon the cancellation, and to the maximum extent practicable, the estimated effect of the cancellation

upon the objects, purposes and programs for which the canceled authority was provided; and

(F) include the adjustments that will be made pursuant to section 1024 to the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an evaluation of the effects of those adjustments upon the sequestration procedures of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) In the case of a cancellation of any dollar amount of discretionary budget authority or item of new direct spending, the special message shall also include, if applicable—

(A) any account, department, or establishment of the Government for which such budget authority was to have been available for obligation and the specific project or governmental functions involved;

(B) the specific States and congressional districts, if any, affected by the cancellation; and

(C) the total number of cancellations imposed during the current session of Congress on States and congressional districts identified in subparagraph (B).

(c) TRANSMISSION OF SPECIAL MESSAGES TO HOUSE AND SENATE.—

(1) The President shall transmit to the Congress each special message under this part within five calendar days (excluding Sundays) after enactment of the law to which the cancellation applies. Each special message shall be transmitted to the House of Representatives and the Senate on the same calendar day. Such special message shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session.

(2) Any special message transmitted under this part shall be printed in the first issue of the Federal Register published after such transmittal.

CANCELLATION EFFECTIVE UNLESS DISAPPROVED

SEC. 1023. [2 U.S.C. 691b] (a) IN GENERAL.—The cancellation of any dollar amount of discretionary budget authority, item of new direct spending, or limited tax benefit shall take effect upon receipt in the House of Representatives and the Senate of the special message notifying the Congress of the cancellation. If a disapproval bill for such special message is enacted into law, then all cancellations disapproved in that law shall be null and void and any such dollar amount of discretionary budget authority, item of new direct spending, or limited tax benefit shall be effective as of the original date provided in the law to which the cancellation applied.

(b) COMMENSURATE REDUCTIONS IN DISCRETIONARY BUDGET AUTHORITY.—Upon the cancellation of a dollar amount of discretionary budget authority under subsection (a), the total appropriation for each relevant account of which that dollar amount is a part shall be simultaneously reduced by the dollar amount of that cancellation.

DEFICIT REDUCTION

SEC. 1024. [2 U.S.C. 691c] (a) IN GENERAL.—

(1) DISCRETIONARY BUDGET AUTHORITY.—OMB shall, for each dollar amount of discretionary budget authority and for each item of new direct spending canceled from an appropriation law under section 1021(a)—

(A) reflect the reduction that results from such cancellation in the estimates required by section 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 in accordance with that Act, including an estimate of the reduction of the budget authority and the reduction in outlays flowing from such reduction of budget authority for each outyear; and

(B) include a reduction to the discretionary spending limits for budget authority and outlays in accordance with the Balanced Budget and Emergency Deficit Control Act of 1985 for each applicable fiscal year set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by amounts equal to the amounts for each fiscal year estimated pursuant to subparagraph (A).

(2) DIRECT SPENDING AND LIMITED TAX BENEFITS.—(A) OMB shall, for each item of new direct spending or limited tax benefit canceled from a law under section 1021(a), estimate the deficit decrease caused by the cancellation of such item or benefit in that law and include such estimate as a separate entry in the report prepared pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(B) OMB shall not include any change in the deficit resulting from a cancellation of any item of new direct spending or limited tax benefit, or the enactment of a disapproval bill for any such cancellation, under this part in the estimates and reports required by sections 252(b) and 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) ADJUSTMENTS TO SPENDING LIMITS.—After ten calendar days (excluding Sundays) after the expiration of the time period in section 1025(b)(1) for expedited congressional consideration of a disapproval bill for a special message containing a cancellation of discretionary budget authority, OMB shall make the reduction included in subsection (a)(1)(B) as part of the next sequester report required by section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) EXCEPTION.—Subsection (b) shall not apply to a cancellation if a disapproval bill or other law that disapproves that cancellation is enacted into law prior to 10 calendar days (excluding Sundays) after the expiration of the time period set forth in section 1025(b)(1).

(d) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—As soon as practicable after the President makes a cancellation from a law under section 1021(a), the Director of the Congressional Budget Office shall provide the Committees on the Budget of the House of Representatives and the Senate with an estimate of the reduction of the budget authority and the reduction in outlays flowing from such reduction of budget authority for each outyear.

EXPEDITED CONGRESSIONAL CONSIDERATION OF DISAPPROVAL BILLS

SEC. 1025. [2 U.S.C. 691d] (a) RECEIPT AND REFERRAL OF SPECIAL MESSAGE.—Each special message transmitted under this part shall be referred to the Committee on the Budget and the appropriate committee or committees of the Senate and the Committee on the Budget and the appropriate committee or committees of the House of Representatives. Each such message shall be printed as a document of the House of Representatives.

(b) TIME PERIOD FOR EXPEDITED PROCEDURES.—

(1) There shall be a congressional review period of 30 calendar days of session, beginning on the first calendar day of session after the date on which the special message is received in the House of Representatives and the Senate, during which the procedures contained in this section shall apply to both Houses of Congress.

(2) In the House of Representatives the procedures set forth in this section shall not apply after the end of the period described in paragraph (1).

(3) If Congress adjourns at the end of a Congress prior to the expiration of the period described in paragraph (1) and a disapproval bill was then pending in either House of Congress or a committee thereof (including a conference committee of the two Houses of Congress), or was pending before the President, a disapproval bill for the same special message may be introduced within the first five calendar days of session of the next Congress and shall be treated as a disapproval bill under this part, and the time period described in paragraph (1) shall commence on the day of introduction of that disapproval bill.

(c) INTRODUCTION OF DISAPPROVAL BILLS.—(1) In order for a disapproval bill to be considered under the procedures set forth in this section, the bill must meet the definition of a disapproval bill and must be introduced no later than the fifth calendar day of session following the beginning of the period described in subsection (b)(1).

(2) In the case of a disapproval bill introduced in the House of Representatives, such bill shall include in the first blank space referred to in section 1026(6)(C) a list of the reference numbers for all cancellations made by the President in the special message to which such disapproval bill relates.

(d) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—(1) Any committee of the House of Representatives to which a disapproval bill is referred shall report it without amendment, and with or without recommendation, not later than the seventh calendar day of session after the date of its introduction. If any committee fails to report the bill within that period, it is in order to move that the House discharge the committee from further consideration of the bill, except that such a motion may not be made after the committee has reported a disapproval bill with respect to the same special message. A motion to discharge may be made only by a Member favoring the bill (but only at a time or place designated by the Speaker in the legislative schedule of the day after the calendar day on which the Member offering the motion announces to the House his intention to do so and the form of the motion). The

motion is highly privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(2) After a disapproval bill is reported or a committee has been discharged from further consideration, it is in order to move that the House resolve into the Committee of the Whole House on the State of the Union for consideration of the bill. If reported and the report has been available for at least one calendar day, all points of order against the bill and against consideration of the bill are waived. If discharged, all points of order against the bill and against consideration of the bill are waived. The motion is highly privileged. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. During consideration of the bill in the Committee of the Whole, the first reading of the bill shall be dispensed with. General debate shall proceed, shall be confined to the bill, and shall not exceed one hour equally divided and controlled by a proponent and an opponent of the bill. The bill shall be considered as read for amendment under the five-minute rule. Only one motion to rise shall be in order, except if offered by the manager. No amendment to the bill is in order, except any Member if supported by 49 other Members (a quorum being present) may offer an amendment striking the reference number or numbers of a cancellation or cancellations from the bill. Consideration of the bill for amendment shall not exceed one hour excluding time for recorded votes and quorum calls. No amendment shall be subject to further amendment, except pro forma amendments for the purposes of debate only. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto for final passage without intervening motion. A motion to reconsider the vote on passage of the bill shall not be in order.

(3) Appeals from decisions of the Chair regarding application of the rules of the House of Representatives to the procedure relating to a disapproval bill shall be decided without debate.

(4) It shall not be in order to consider under this subsection more than one disapproval bill for the same special message except for consideration of a similar Senate bill (unless the House has already rejected a disapproval bill for the same special message) or more than one motion to discharge described in paragraph (1) with respect to a disapproval bill for that special message.

(e) CONSIDERATION IN THE SENATE.—

(1) REFERRAL AND REPORTING.—Any disapproval bill introduced in the Senate shall be referred to the appropriate committee or committees. A committee to which a disapproval bill has been referred shall report the bill not later than the seventh day of session following the date of introduction of that bill. If any committee fails to report the bill within that period, that committee shall be automatically discharged from further

consideration of the bill and the bill shall be placed on the Calendar.

(2) DISAPPROVAL BILL FROM HOUSE.—When the Senate receives from the House of Representatives a disapproval bill, such bill shall not be referred to committee and shall be placed on the Calendar.

(3) CONSIDERATION OF SINGLE DISAPPROVAL BILL.—After the Senate has proceeded to the consideration of a disapproval bill for a special message, then no other disapproval bill originating in that same House relating to that same message shall be subject to the procedures set forth in this subsection.

(4) AMENDMENTS.—

(A) AMENDMENTS IN ORDER.—The only amendments in order to a disapproval bill are—

(i) an amendment that strikes the reference number of a cancellation from the disapproval bill; and

(ii) an amendment that only inserts the reference number of a cancellation included in the special message to which the disapproval bill relates that is not already contained in such bill.

(B) WAIVER OR APPEAL.—An affirmative vote of three-fifths of the Senators, duly chosen and sworn, shall be required in the Senate—

(i) to waive or suspend this paragraph; or

(ii) to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

(5) MOTION NONDEBATABLE.—A motion to proceed to consideration of a disapproval bill under this subsection shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed was adopted or rejected, although subsequent motions to proceed may be made under this paragraph.

(6) LIMIT ON CONSIDERATION.—(A) After no more than 10 hours of consideration of a disapproval bill, the Senate shall proceed, without intervening action or debate (except as permitted under paragraph (9)), to vote on the final disposition thereof to the exclusion of all amendments not then pending and to the exclusion of all motions, except a motion to reconsider or to table.

(B) A single motion to extend the time for consideration under subparagraph (A) for no more than an additional five hours is in order prior to the expiration of such time and shall be decided without debate.

(C) The time for debate on the disapproval bill shall be equally divided between the Majority Leader and the Minority Leader or their designees.

(7) DEBATE ON AMENDMENTS.—Debate on any amendment to a disapproval bill shall be limited to one hour, equally divided and controlled by the Senator proposing the amendment and the majority manager, unless the majority manager is in favor of the amendment, in which case the minority manager shall be in control of the time in opposition.

(8) NO MOTION TO RECOMMIT.—A motion to recommit a disapproval bill shall not be in order.

(9) DISPOSITION OF SENATE DISAPPROVAL BILL.—If the Senate has read for the third time a disapproval bill that originated in the Senate, then it shall be in order at any time thereafter to move to proceed to the consideration of a disapproval bill for the same special message received from the House of Representatives and placed on the Calendar pursuant to paragraph (2), strike all after the enacting clause, substitute the text of the Senate disapproval bill, agree to the Senate amendment, and vote on final disposition of the House disapproval bill, all without any intervening action or debate.

(10) CONSIDERATION OF HOUSE MESSAGE.—Consideration in the Senate of all motions, amendments, or appeals necessary to dispose of a message from the House of Representatives on a disapproval bill shall be limited to not more than four hours. Debate on each motion or amendment shall be limited to 30 minutes. Debate on any appeal or point of order that is submitted in connection with the disposition of the House message shall be limited to 20 minutes. Any time for debate shall be equally divided and controlled by the proponent and the majority manager, unless the majority manager is a proponent of the motion, amendment, appeal, or point of order, in which case the minority manager shall be in control of the time in opposition.

(f) CONSIDERATION IN CONFERENCE.—

(1) CONVENING OF CONFERENCE.—In the case of disagreement between the two Houses of Congress with respect to a disapproval bill passed by both Houses, conferees should be promptly appointed and a conference promptly convened, if necessary.

(2) HOUSE CONSIDERATION.—(A) Notwithstanding any other rule of the House of Representatives, it shall be in order to consider the report of a committee of conference relating to a disapproval bill provided such report has been available for one calendar day (excluding Saturdays, Sundays, or legal holidays, unless the House is in session on such a day) and the accompanying statement shall have been filed in the House.

(B) Debate in the House of Representatives on the conference report and any amendments in disagreement on any disapproval bill shall each be limited to not more than one hour equally divided and controlled by a proponent and an opponent. A motion to further limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(3) SENATE CONSIDERATION.—Consideration in the Senate of the conference report and any amendments in disagreement on a disapproval bill shall be limited to not more than four hours equally divided and controlled by the Majority Leader and the Minority Leader or their designees. A motion to recommit the conference report is not in order.

(4) LIMITS ON SCOPE.—(A) When a disagreement to an amendment in the nature of a substitute has been referred to a conference, the conferees shall report those cancellations that were included in both the bill and the amendment, and may

report a cancellation included in either the bill or the amendment, but shall not include any other matter.

(B) When a disagreement on an amendment or amendments of one House to the disapproval bill of the other House has been referred to a committee of conference, the conferees shall report those cancellations upon which both Houses agree and may report any or all of those cancellations upon which there is disagreement, but shall not include any other matter.

DEFINITIONS

SEC. 1026. [2 U.S.C. 691e] As used in this part:

(1) **APPROPRIATION LAW.**—The term “appropriation law” means an Act referred to in section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been signed into law pursuant to Article I, section 7, of the Constitution of the United States.

(2) **CALENDAR DAY.**—The term “calendar day” means a standard 24-hour period beginning at midnight.

(3) **CALENDAR DAYS OF SESSION.**—The term “calendar days of session” shall mean only those days on which both Houses of Congress are in session.

(4) **CANCEL.**—The term “cancel” or “cancellation” means—

(A) with respect to any dollar amount of discretionary budget authority, to rescind;

(B) with respect to any item of new direct spending—

(i) that is budget authority provided by law (other than an appropriation law), to prevent such budget authority from having legal force or effect;

(ii) that is entitlement authority, to prevent the specific legal obligation of the United States from having legal force or effect; or

(iii) through the food stamp program, to prevent the specific provision of law that results in an increase in budget authority or outlays for that program from having legal force or effect; and

(C) with respect to a limited tax benefit, to prevent the specific provision of law that provides such benefit from having legal force or effect.

(5) **DIRECT SPENDING.**—The term “direct spending” means—

(A) budget authority provided by law (other than an appropriation law);

(B) entitlement authority; and

(C) the food stamp program.

(6) **DISAPPROVAL BILL.**—The term “disapproval bill” means a bill or joint resolution which only disapproves one or more cancellations of dollar amounts of discretionary budget authority, items of new direct spending, or limited tax benefits in a special message transmitted by the President under this part and—

(A) the title of which is as follows: “A bill disapproving the cancellations transmitted by the President on _____”, the blank space being filled in with the date of

transmission of the relevant special message and the public law number to which the message relates;

(B) which does not have a preamble; and

(C) which provides only the following after the enacting clause: "That Congress disapproves of cancellations _____", the blank space being filled in with a list by reference number of one or more cancellations contained in the President's special message, "as transmitted by the President in a special message on _____", the blank space being filled in with the appropriate date, "regarding _____.", the blank space being filled in with the public law number to which the special message relates.

(7) DOLLAR AMOUNT OF DISCRETIONARY BUDGET AUTHORITY.—(A) Except as provided in subparagraph (B), the term "dollar amount of discretionary budget authority" means the entire dollar amount of budget authority—

(i) specified in an appropriation law, or the entire dollar amount of budget authority required to be allocated by a specific proviso in an appropriation law for which a specific dollar figure was not included;

(ii) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law;

(iii) required to be allocated for a specific program, project, or activity in a law (other than an appropriation law) that mandates the expenditure of budget authority from accounts, programs, projects, or activities for which budget authority is provided in an appropriation law;

(iv) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation law or included in the statement of managers or the governing committee report accompanying such law; or

(v) represented by the product of the estimated procurement cost and the total quantity of items required to be provided in a law (other than an appropriation law) that mandates the expenditure of budget authority from accounts, programs, projects, or activities for which budget authority is provided in an appropriation law.

(B) The term "dollar amount of discretionary budget authority" does not include—

(i) direct spending;

(ii) budget authority in an appropriation law which funds direct spending provided for in other law;

(iii) any existing budget authority rescinded or canceled in an appropriation law; or

(iv) any restriction, condition, or limitation in an appropriation law or the accompanying statement of managers or committee reports on the expenditure of budget authority for an account, program, project, or activity, or on activities involving such expenditure.

(8) ITEM OF NEW DIRECT SPENDING.—The term "item of new direct spending" means any specific provision of law that is estimated to result in an increase in budget authority or out-

lays for direct spending relative to the most recent levels calculated pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(9) LIMITED TAX BENEFIT.—(A) The term “limited tax benefit” means—

(i) any revenue-losing provision which provides a Federal tax deduction, credit, exclusion, or preference to 100 or fewer beneficiaries under the Internal Revenue Code of 1986 in any fiscal year for which the provision is in effect; and

(ii) any Federal tax provision which provides temporary or permanent transitional relief for 10 or fewer beneficiaries in any fiscal year from a change to the Internal Revenue Code of 1986.

(B) A provision shall not be treated as described in subparagraph (A)(i) if the effect of that provision is that—

(i) all persons in the same industry or engaged in the same type of activity receive the same treatment;

(ii) all persons owning the same type of property, or issuing the same type of investment, receive the same treatment; or

(iii) any difference in the treatment of persons is based solely on—

(I) in the case of businesses and associations, the size or form of the business or association involved;

(II) in the case of individuals, general demographic conditions, such as income, marital status, number of dependents, or tax return filing status;

(III) the amount involved; or

(IV) a generally-available election under the Internal Revenue Code of 1986.

(C) A provision shall not be treated as described in subparagraph (A)(ii) if—

(i) it provides for the retention of prior law with respect to all binding contracts or other legally enforceable obligations in existence on a date contemporaneous with congressional action specifying such date; or

(ii) it is a technical correction to previously enacted legislation that is estimated to have no revenue effect.

(D) For purposes of subparagraph (A)—

(i) all businesses and associations which are related within the meaning of sections 707(b) and 1563(a) of the Internal Revenue Code of 1986 shall be treated as a single beneficiary;

(ii) all qualified plans of an employer shall be treated as a single beneficiary;

(iii) all holders of the same bond issue shall be treated as a single beneficiary; and

(iv) if a corporation, partnership, association, trust or estate is the beneficiary of a provision, the shareholders of the corporation, the partners of the partnership, the members of the association, or the beneficiaries of the trust or estate shall not also be treated as beneficiaries of such provision.

(E) For purposes of this paragraph, the term “revenue-losing provision” means any provision which results in a reduction in Federal tax revenues for any one of the two following periods—

(i) the first fiscal year for which the provision is effective; or

(ii) the period of the 5 fiscal years beginning with the first fiscal year for which the provision is effective.

(F) The terms used in this paragraph shall have the same meaning as those terms have generally in the Internal Revenue Code of 1986, unless otherwise expressly provided.

(10) OMB.—The term “OMB” means the Director of the Office of Management and Budget.

IDENTIFICATION OF LIMITED TAX BENEFITS

SEC. 1027. [2 U.S.C. 691f] (a) STATEMENT BY JOINT TAX COMMITTEE.—The Joint Committee on Taxation shall review any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 that is being prepared for filing by a committee of conference of the two Houses, and shall identify whether such bill or joint resolution contains any limited tax benefits. The Joint Committee on Taxation shall provide to the committee of conference a statement identifying any such limited tax benefits or declaring that the bill or joint resolution does not contain any limited tax benefits. Any such statement shall be made available to any Member of Congress by the Joint Committee on Taxation immediately upon request.

(b) STATEMENT INCLUDED IN LEGISLATION.—(1) Notwithstanding any other rule of the House of Representatives or any rule or precedent of the Senate, any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 reported by a committee of conference of the two Houses may include, as a separate section of such bill or joint resolution, the information contained in the statement of the Joint Committee on Taxation, but only in the manner set forth in paragraph (2).

(2) The separate section permitted under paragraph (1) shall read as follows: “Section 1021(a)(3) of the Congressional Budget and Impoundment Control Act of 1974 shall _____ apply to _____.”, with the blank spaces being filled in with—

(A) in any case in which the Joint Committee on Taxation identifies limited tax benefits in the statement required under subsection (a), the word “only” in the first blank space and a list of all of the specific provisions of the bill or joint resolution identified by the Joint Committee on Taxation in such statement in the second blank space; or

(B) in any case in which the Joint Committee on Taxation declares that there are no limited tax benefits in the statement required under subsection (a), the word “not” in the first blank space and the phrase “any provision of this Act” in the second blank space.

(c) PRESIDENT’S AUTHORITY.—If any revenue or reconciliation bill or joint resolution is signed into law pursuant to Article I, section 7, of the Constitution of the United States—

(1) with a separate section described in subsection (b)(2), then the President may use the authority granted in section 1021(a)(3) only to cancel any limited tax benefit in that law, if any, identified in such separate section; or

(2) without a separate section described in subsection (b)(2), then the President may use the authority granted in section 1021(a)(3) to cancel any limited tax benefit in that law that meets the definition in section 1026.

(d) CONGRESSIONAL IDENTIFICATIONS OF LIMITED TAX BENEFITS.—There shall be no judicial review of the congressional identification under subsections (a) and (b) of a limited tax benefit in a conference report.

**BALANCED BUDGET AND EMERGENCY DEFICIT
CONTROL ACT OF 1985--(Part C)**

[As Amended Through P.L. 113–82, Enacted February 15, 2014]

【Application of certain provisions to Statutory PAYGO】

【NOTE: For purposes of the “Statutory Pay-As-You-Go Act of 2010” (title I of Public Law 111–139; enacted February 12, 2010; 124 Stat. 8), the provisions of sections 255, 256, 257, and 274 of Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) (as amended by such Public Law) shall apply to the provisions of such title I. See section 8 of Public Law 111–139 relating to the application of BBEDCA.】

**PART C—EMERGENCY POWERS TO ELIMINATE
DEFICITS IN EXCESS OF MAXIMUM DEFICIT AMOUNT**

**SEC. 250. [2 U.S.C. 900] TABLE OF CONTENTS; STATEMENT OF BUDGET
ENFORCEMENT THROUGH SEQUESTRATION; DEFINI-
TIONS.**

(a) TABLE OF CONTENTS.—

Sec. 250. Table of contents; budget enforcement statement; definitions.
Sec. 251. Enforcing discretionary spending limits.
Sec. 251A. Enforcement of budget goal.
Sec. 252. Enforcing pay-as-you-go.
Sec. 253. Enforcing deficit targets.
Sec. 254. Reports and orders.
Sec. 255. Exempt programs and activities.
Sec. 256. General and special sequestration rules.¹⁹
Sec. 257. The baseline.
Sec. 258. Suspension in the event of war or low growth.
Sec. 258A. Modification of presidential order.
Sec. 258B. Alternative defense sequestration.
Sec. 258C. Special reconciliation process.

(b) GENERAL STATEMENT OF BUDGET ENFORCEMENT THROUGH SEQUESTRATION.—This part provides for budget enforcement as called for in House Concurrent Resolution 84 (105th Congress, 1st session).

(c) DEFINITIONS.—As used in this part:

(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 and “discretionary spending limit” shall mean the amounts specified in section 251 of this Act.

(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

¹⁹Section 10208(a)(2) of Public Law 105–33 (111 Stat. 708) added this item to the table of contents, inadvertently adding it in all caps.

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 "nonsecurity category" means all discretionary appropriations not included in the security category defined in subparagraph (B).

(B) The term "security category" includes discretionary appropriations associated with agency budgets for the Department of Defense, the Department of Homeland Security, the Department of Veterans Affairs, the National Nuclear Security Administration, the intelligence community management account (95-0401-0-1-054), and all budget accounts in budget function 150 (international affairs).

(C) The term "discretionary category" includes all discretionary appropriations.

(D) The term "revised security category" means discretionary appropriations in budget function 050.

(E) The term "revised nonsecurity category" means discretionary appropriations other than in budget function 050.

(F) The term "category" means the subsets of discretionary appropriations in section 251(c). 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 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.

(5) The term "baseline" means the projection (described in section 257) of current-year levels of new budget authority, outlays, receipts, and the surplus or deficit into the budget year and the outyears.

(6) The term "budgetary resources" means new budget authority, unobligated balances, direct spending authority, and obligation limitations.

(7) The term "discretionary appropriations" means budgetary resources (except to fund direct-spending programs) provided in appropriation Acts.

(8) The term "direct spending" means—

(A) budget authority provided by law other than appropriation Acts;

(B) entitlement authority; and

(C) the Supplemental Nutrition Assistance Program.

(9) The term "current" means, with respect to OMB estimates included with a budget submission under section 1105(a) of title 31, United States Code, the estimates consistent with the economic and technical assumptions underlying that budget and with respect to estimates made after that budget submission that are not included with it, estimates consistent with the economic and technical assumptions underlying the most recently submitted President's budget.

(10) The term “real economic growth”, with respect to any fiscal year, means the growth in the gross national product during such fiscal year, adjusted for inflation, consistent with Department of Commerce definitions.

(11) The term “account” means an item for which appropriations are made in any appropriation Act and, for items not provided for in appropriation Acts, such term means an item for which there is a designated budget account identification code number in the President’s budget.

(12) The term “budget year” means, with respect to a session of Congress, the fiscal year of the Government that starts on October 1 of the calendar year in which that session begins.

(13) The term “current year” means, with respect to a budget year, the fiscal year that immediately precedes that budget year.

(14) The term “outyear” means a fiscal year one or more years after the budget year.

(15) The term “OMB” means the Director of the Office of Management and Budget.

(16) The term “CBO” means the Director of the Congressional Budget Office.

(17) As used in this part, all references to entitlement authority shall include the list of mandatory appropriations included in the joint explanatory statement of managers accompanying the conference report on the Balanced Budget Act of 1997.

(18) The term “deposit insurance” refers to the expenses of the Federal deposit insurance agencies, and other Federal agencies supervising insured depository institutions, resulting from full funding of, and continuation of, the deposit insurance guarantee commitment in effect under current estimates.

(19) The term “asset sale” means the sale to the public of any asset (except for those assets covered by title V of the Congressional Budget Act of 1974), whether physical or financial, owned in whole or in part by the United States.

(20) The term “emergency” means a situation that—

(A) requires new budget authority and outlays (or new budget authority and the outlays flowing therefrom) for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security; and

(B) is unanticipated.

(21) The term “unanticipated” means that the underlying situation is—

(A) sudden, which means quickly coming into being or not building up over time;

(B) urgent, which means a pressing and compelling need requiring immediate action;

(C) unforeseen, which means not predicted or anticipated as an emerging need; and

(D) temporary, which means not of a permanent duration.

SEC. 251. [2 U.S.C. 901] ENFORCING DISCRETIONARY SPENDING LIMITS.

(a) ENFORCEMENT.—

(1) SEQUESTRATION.—Within 15 calendar days after Congress adjourns to end a session there shall be a sequestration to eliminate a budget-year breach, if any, within any category.

(2) ELIMINATING A BREACH.—Each non-exempt account within a category shall be reduced by a dollar amount calculated by multiplying the enacted level of sequestrable budgetary resources in that account at that time by the uniform percentage necessary to eliminate a breach within that category.

(3) MILITARY PERSONNEL.—If the President uses the authority to exempt any personnel account from sequestration under section 255(f), each account within subfunctional category 051 (other than those military personnel accounts for which the authority provided under section 255(f) has been exercised) shall be further reduced by a dollar amount calculated by multiplying the enacted level of non-exempt budgetary resources in that account at that time by the uniform percentage necessary to offset the total dollar amount by which outlays are not reduced in military personnel accounts by reason of the use of such authority.

(4) PART-YEAR APPROPRIATIONS.—If, on the date specified in paragraph (1), there is in effect an Act making or continuing appropriations for part of a fiscal year for any budget account, then the dollar sequestration calculated for that account under paragraphs (2) and (3) shall be subtracted from—

(A) the annualized amount otherwise available by law in that account under that or a subsequent part-year appropriation; and

(B) when a full-year appropriation for that account is enacted, from the amount otherwise provided by the full-year appropriation for that account.

(5) LOOK-BACK.—If, after June 30, an appropriation for the fiscal year in progress is enacted that causes a breach within a category for that year (after taking into account any sequestration of amounts within that category), the discretionary spending limits for that category for the next fiscal year shall be reduced by the amount or amounts of that breach.

(6) WITHIN-SESSION SEQUESTRATION.—If an appropriation for a fiscal year in progress is enacted (after Congress adjourns to end the session for that budget year and before July 1 of that fiscal year) that causes a breach within a category for that year (after taking into account any prior sequestration of amounts within that category), 15 days later there shall be a sequestration to eliminate that breach within that category following the procedures set forth in paragraphs (2) through (4).

(7) ESTIMATES.—

(A) CBO ESTIMATES.—As soon as practicable after Congress completes action on any discretionary appropriation, CBO, after consultation with the Committees on the Budget of the House of Representatives and the Senate, shall provide OMB with an estimate of the amount of discretionary new budget authority and outlays for the current year, if any, and the budget year provided by that legislation.

(B) OMB ESTIMATES AND EXPLANATION OF DIFFERENCES.—Not later than 7 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date of enactment of any discretionary appropriation, OMB shall transmit a report to the House of Representatives and to the Senate containing the CBO estimate of that legislation, an OMB estimate of the amount of discretionary new budget authority and outlays for the current year, if any, and the budget year provided by that legislation, and an explanation of any difference between the 2 estimates. If during the preparation of the report OMB determines that there is a significant difference between OMB and CBO, OMB shall consult with the Committees on the Budget of the House of Representatives and the Senate regarding that difference and that consultation shall include, to the extent practicable, written communication to those committees that affords such committees the opportunity to comment before the issuance of the report.

(C) ASSUMPTIONS AND GUIDELINES.—OMB estimates under this paragraph shall be made using current economic and technical assumptions. OMB shall use the OMB estimates transmitted to the Congress under this paragraph. OMB and CBO shall prepare estimates under this paragraph in conformance with scorekeeping guidelines determined after consultation among the Committees on the Budget of the House of Representatives and the Senate, CBO, and OMB.

(D) ANNUAL APPROPRIATIONS.—For purposes of this paragraph, amounts provided by annual appropriations shall include any discretionary appropriations for the current year, if any, and the budget year in accounts for which funding is provided in that legislation that result from previously enacted legislation.

(b) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) CONCEPTS AND DEFINITIONS.—When the President submits the budget under section 1105 of title 31, United States Code, OMB shall calculate and the budget shall include adjustments to discretionary spending limits (and those limits as cumulatively adjusted) for the budget year and each outyear to reflect changes in concepts and definitions. Such changes shall equal the baseline levels of new budget authority and outlays using up-to-date concepts and definitions, minus those levels using the concepts and definitions in effect before such changes. Such changes may only be made after consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate, and that consultation shall include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to such changes.

(2) SEQUESTRATION REPORTS.—When OMB submits a sequestration report under section 254(e), (f), or (g) for a fiscal year, OMB shall calculate, and the sequestration report and subsequent budgets submitted by the President under section 1105(a) of title 31, United States Code, shall include adjust-

ments to discretionary spending limits (and those limits as adjusted) for the fiscal year and each succeeding year, as follows:

(A) EMERGENCY APPROPRIATIONS; OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—If, for any fiscal year, appropriations for discretionary accounts are enacted that—

(i) the Congress designates as emergency requirements in statute on an account by account basis and the President subsequently so designates, or

(ii) the Congress designates for Overseas Contingency Operations/Global War on Terrorism in statute on an account by account basis and the President subsequently so designates,

the adjustment shall be the total of such appropriations in discretionary accounts designated as emergency requirements or for Overseas Contingency Operations/Global War on Terrorism, as applicable.

(B) CONTINUING DISABILITY REVIEWS AND REDETERMINATIONS.—(i) If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, then the adjustments for that fiscal year shall be the additional new budget authority provided in that Act for such expenses for that fiscal year, but shall not exceed—

(I) for fiscal year 2012, \$623,000,000 in additional new budget authority;

(II) for fiscal year 2013, \$751,000,000 in additional new budget authority;

(III) for fiscal year 2014, \$924,000,000 in additional new budget authority;

(IV) for fiscal year 2015, \$1,123,000,000 in additional new budget authority;

(V) for fiscal year 2016, \$1,166,000,000 in additional new budget authority;

(VI) for fiscal year 2017, \$1,309,000,000 in additional new budget authority;

(VII) for fiscal year 2018, \$1,309,000,000 in additional new budget authority;

(VIII) for fiscal year 2019, \$1,309,000,000 in additional new budget authority;

(IX) for fiscal year 2020, \$1,309,000,000 in additional new budget authority; and

(X) for fiscal year 2021, \$1,309,000,000 in additional new budget authority.

(ii) As used in this subparagraph—

(I) the term “continuing disability reviews” means continuing disability reviews under sections 221(i) and 1614(a)(4) of the Social Security Act;

(II) the term “redetermination” means redetermination of eligibility under sections 1611(c)(1) and 1614(a)(3)(H) of the Social Security Act; and

(III) the term “additional new budget authority” means the amount provided for a fiscal year, in excess of \$273,000,000, in an appropriation Act and specified to pay for the costs of continuing disability reviews and redeterminations under the heading “Limitation on Administrative Expenses” for the Social Security Administration.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—(i) If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for the health care fraud abuse control program at the Department of Health and Human Services (75–8393–0–7–571), then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such program for that fiscal year, but shall not exceed—

(I) for fiscal year 2012, \$270,000,000 in additional new budget authority;

(II) for fiscal year 2013, \$299,000,000 in additional new budget authority;

(III) for fiscal year 2014, \$329,000,000 in additional new budget authority;

(IV) for fiscal year 2015, \$361,000,000 in additional new budget authority;

(V) for fiscal year 2016, \$395,000,000 in additional new budget authority;

(VI) for fiscal year 2017, \$414,000,000 in additional new budget authority;

(VII) for fiscal year 2018, \$434,000,000 in additional new budget authority;

(VIII) for fiscal year 2019, \$454,000,000 in additional new budget authority;

(IX) for fiscal year 2020, \$475,000,000 in additional new budget authority; and

(X) for fiscal year 2021, \$496,000,000 in additional new budget authority.

(ii) As used in this subparagraph, the term “additional new budget authority” means the amount provided for a fiscal year, in excess of \$311,000,000, in an appropriation Act and specified to pay for the costs of the health care fraud and abuse control program.

(D) DISASTER FUNDING.—

(i) If, for fiscal years 2012 through 2021, appropriations for discretionary accounts are enacted that Congress designates as being for disaster relief in statute, the adjustment for a fiscal year shall be the total of such appropriations for the fiscal year in discretionary accounts designated as being for disaster relief, but not to exceed the total of—

(I) the average funding provided for disaster relief over the previous 10 years, excluding the highest and lowest years; and

(II) the amount, for years when the enacted new discretionary budget authority designated as being for disaster relief for the preceding fiscal

year was less than the average as calculated in subclause (I) for that fiscal year, that is the difference between the enacted amount and the allowable adjustment as calculated in such subclause for that fiscal year.

(ii) OMB shall report to the Committees on Appropriations and Budget in each House the average calculated pursuant to clause (i)(II), not later than 30 days after the date of the enactment of the Budget Control Act of 2011.

(iii) For the purposes of this subparagraph, the term “disaster relief” means activities carried out pursuant to a determination under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(iv) Appropriations considered disaster relief under this subparagraph in a fiscal year shall not be eligible for adjustments under subparagraph (A) for the fiscal year.

(c) DISCRETIONARY SPENDING LIMIT.—As used in this part, the term “discretionary spending limit” means—

(1) for fiscal year 2014—

(A) for the revised security category, \$520,464,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$491,773,000,000 in new budget authority;

(2) for fiscal year 2015—

(A) for the revised security category, \$521,272,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$492,356,000,000 in new budget authority;

(3) for fiscal year 2016—

(A) for the revised security category, \$577,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$530,000,000,000 in new budget authority;

(4) for fiscal year 2017—

(A) for the revised security category, \$590,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$541,000,000,000 in new budget authority;

(5) for fiscal year 2018—

(A) for the revised security category, \$603,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$553,000,000,000 in new budget authority;

(6) for fiscal year 2019—

(A) for the revised security category, \$616,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$566,000,000,000 in new budget authority;

(7) for fiscal year 2020—

(A) for the revised security category, \$630,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$578,000,000,000 in new budget authority; and
(8) for fiscal year 2021—

(A) for the revised security category, \$644,000,000,000 in new budget authority; and

(B) for the revised nonsecurity category, \$590,000,000,000 in new budget authority; as adjusted in strict conformance with subsection (b).

SEC. 251A. [2 U.S.C. 901a] ENFORCEMENT OF BUDGET GOAL.

Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:

(1) **CALCULATION OF TOTAL DEFICIT REDUCTION.**—OMB shall calculate the amount of the deficit reduction required by this section for each of fiscal years 2013 through 2021 by—

(A) starting with \$1,200,000,000,000;

(B) subtracting the amount of deficit reduction achieved by the enactment of a joint committee bill, as provided in section 401(b)(3)(B)(i)(II) of the Budget Control Act of 2011;

(C) reducing the difference by 18 percent to account for debt service;

(D) dividing the result by 9; and

(E) for fiscal year 2013, reducing the amount calculated under subparagraphs (A) through (D) by \$24,000,000,000.

(2) **ALLOCATION TO FUNCTIONS.**—On March 1, 2013, for fiscal year 2013, and in its sequestration preview report for fiscal years 2014 through 2021 pursuant to section 254(c), OMB shall allocate half of the total reduction calculated pursuant to paragraph (1) for that year to discretionary appropriations and direct spending accounts within function 050 (defense function) and half to accounts in all other functions (nondefense functions).

(3) **DEFENSE FUNCTION REDUCTION.**—OMB shall calculate the reductions to discretionary appropriations and direct spending for each of fiscal years 2013 through 2021 for defense function spending as follows:

(A) **DISCRETIONARY.**—OMB shall calculate the reduction to discretionary appropriations by—

(i) taking the total reduction for the defense function allocated for that year under paragraph (2);

(ii) multiplying by the discretionary spending limit for the revised security category for that year; and

(iii) dividing by the sum of the discretionary spending limit for the security category and OMB's baseline estimate of nonexempt outlays for direct spending programs within the defense function for that year.

(B) **DIRECT SPENDING.**—OMB shall calculate the reduction to direct spending by taking the total reduction for the defense function required for that year under paragraph (2) and subtracting the discretionary reduction calculated pursuant to subparagraph (A).

(4) NONDEFENSE FUNCTION REDUCTION.—OMB shall calculate the reduction to discretionary appropriations and to direct spending for each of fiscal years 2013 through 2021 for programs in nondefense functions as follows:

(A) DISCRETIONARY.—OMB shall calculate the reduction to discretionary appropriations by—

(i) taking the total reduction for nondefense functions allocated for that year under paragraph (2);

(ii) multiplying by the discretionary spending limit for the revised nonsecurity category for that year; and

(iii) dividing by the sum of the discretionary spending limit for the revised nonsecurity category and OMB's baseline estimate of nonexempt outlays for direct spending programs in nondefense functions for that year.

(B) DIRECT SPENDING.—OMB shall calculate the reduction to direct spending programs by taking the total reduction for nondefense functions required for that year under paragraph (2) and subtracting the discretionary reduction calculated pursuant to subparagraph (A).

(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 1.11 percent.

(5) IMPLEMENTING DISCRETIONARY REDUCTIONS.—

(A) FISCAL YEAR 2013.—On March 1, 2013, for fiscal year 2013, OMB shall calculate and the President shall order a sequestration, effective upon issuance and under the procedures set forth in section 253(f), to reduce each account within the security category or nonsecurity category by a dollar amount calculated by multiplying the baseline level of budgetary resources in that account at that time by a uniform percentage necessary to achieve—

(i) for the revised security category, an amount equal to the defense function discretionary reduction calculated pursuant to paragraph (3); and

(ii) for the revised nonsecurity category, an amount equal to the nondefense function discretionary reduction calculated pursuant to paragraph (4).

(B) FISCAL YEARS 2014–2021.—Except as provided by paragraph (10), on the date of the submission of its sequestration preview report for fiscal years 2014 through 2021 pursuant to section 254(c) for each of fiscal years 2014 through 2021, OMB shall reduce the discretionary spending limit—

(i) for the revised security category by the amount of the defense function discretionary reduction calculated pursuant to paragraph (3); and

(ii) for the revised nonsecurity category by the amount of the nondefense function discretionary reduction calculated pursuant to paragraph (4).

(6) IMPLEMENTING DIRECT SPENDING REDUCTIONS.—(A) On the date specified in paragraph (2) during each applicable year, OMB shall prepare and the President shall order a sequestration, effective upon issuance, of nonexempt direct spending to achieve the direct spending reduction calculated pursuant to paragraphs (3) and (4). When implementing the sequestration of direct spending pursuant to this paragraph, OMB shall follow the procedures specified in section 6 of the Statutory Pay-As-You-Go Act of 2010, the exemptions specified in section 255, and the special rules specified in section 256, except that the percentage reduction for the Medicare programs specified in section 256(d) shall not be more than 2 percent for a fiscal year.

(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022, for fiscal year 2023, and for fiscal year 2024, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—

(i) the percentage reduction for nonexempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

(ii) the percentage reduction for nonexempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).

(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 1.11 percent.

(7) ADJUSTMENT FOR MEDICARE.—If the percentage reduction for the Medicare programs would exceed 2 percent for a fiscal year in the absence of paragraph (6), OMB shall increase the reduction for all other discretionary appropriations and direct spending under paragraph (4) by a uniform percentage to a level sufficient to achieve the reduction required by paragraph (4) in the non-defense function.

(8) IMPLEMENTATION OF REDUCTIONS.—Any reductions imposed under this section shall be implemented in accordance with section 256(k).

(9) REPORT.—On the dates specified in paragraph (2), OMB shall submit a report to Congress containing information about the calculations required under this section, the adjusted discretionary spending limits, a listing of the reductions required for each nonexempt direct spending account, and any other data and explanations that enhance public understanding of this title and actions taken under it.

(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.

(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.

SEC. 252. [2 U.S.C. 902] ENFORCING PAY-AS-YOU-GO.

(a) PURPOSE.—The purpose of this section is to assure that any legislation enacted before October 1, 2002, affecting direct spending or receipts that increases the deficit will trigger an offsetting sequestration.

(b) SEQUESTRATION.—

(1) TIMING.—Not later than 15 calendar days after the date Congress adjourns to end a session and on the same day as a sequestration (if any) under section 251 or 253, there shall be a sequestration to offset the amount of any net deficit increase caused by all direct spending and receipts legislation enacted before October 1, 2002, as calculated under paragraph (2).

(2) CALCULATION OF DEFICIT INCREASE.—OMB shall calculate the amount of deficit increase or decrease by adding—

(A) all OMB estimates for the budget year of direct spending and receipts legislation transmitted under subsection (d);

(B) the estimated amount of savings in direct spending programs applicable to the budget year resulting from the prior year's sequestration under this section or section 253, if any, as published in OMB's final sequestration report for that prior year; and

(C) any net deficit increase or decrease in the current year resulting from all OMB estimates for the current year of direct spending and receipts legislation transmitted under subsection (d) that were not reflected in the final OMB sequestration report for the current year.

(c) ELIMINATING A DEFICIT INCREASE.—(1) The amount required to be sequestered in a fiscal year under subsection (b) shall be obtained from non-exempt direct spending accounts from actions taken in the following order:

(A) FIRST.—All reductions in automatic spending increases specified in section 256(a) shall be made.

(B) SECOND.—If additional reductions in direct spending accounts are required to be made, the maximum reductions permissible under sections 256(b) (guaranteed and direct stu-

dent loans) and 256(c) (foster care and adoption assistance) shall be made.

(C) THIRD.—(i) If additional reductions in direct spending accounts are required to be made, each remaining non-exempt direct spending account shall be reduced by the uniform percentage necessary to make the reductions in direct spending required by subsection (b); except that the medicare programs specified in section 256(d) shall not be reduced by more than 4 percent and the uniform percentage applicable to all other direct spending programs under this paragraph shall be increased (if necessary) to a level sufficient to achieve the required reduction in direct spending.

(ii) For purposes of determining reductions under clause (i), outlay reductions (as a result of sequestration of Commodity Credit Corporation commodity price support contracts in the fiscal year of a sequestration) that would occur in the following fiscal year shall be credited as outlay reductions in the fiscal year of the sequestration.

(2) For purposes of this subsection, accounts shall be assumed to be at the level in the baseline.

(d) ESTIMATES.—

(1) CBO ESTIMATES.—As soon as practicable after Congress completes action on any direct spending or receipts legislation, CBO shall provide an estimate to OMB of that legislation.

(2) OMB ESTIMATES.—Not later than 7 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date of enactment of any direct spending or receipts legislation, OMB shall transmit a report to the House of Representatives and to the Senate containing—

(A) the CBO estimate of that legislation;

(B) an OMB estimate of that legislation using current economic and technical assumptions; and

(C) an explanation of any difference between the 2 estimates.

(3) SIGNIFICANT DIFFERENCES.—If during the preparation of the report under paragraph (2) OMB determines that there is a significant difference between the OMB and CBO estimates, OMB shall consult with the Committees on the Budget of the House of Representatives and the Senate regarding that difference and that consultation, to the extent practicable, shall include written communication to such committees that affords such committees the opportunity to comment before the issuance of that report.

(4) SCOPE OF ESTIMATES.—The estimates under this section shall include the amount of change in outlays or receipts for the current year (if applicable), the budget year, and each out-year excluding any amounts resulting from—

(A) full funding of, and continuation of, the deposit insurance guarantee commitment in effect under current estimates; and

(B) emergency provisions as designated under subsection (e).

(5) SCOREKEEPING GUIDELINES.—OMB and CBO, after consultation with each other and the Committees on the Budget of the House of Representatives and the Senate, shall—

(A) determine common scorekeeping guidelines; and

(B) in conformance with such guidelines, prepare estimates under this section.

(e)²¹ EMERGENCY LEGISLATION.—If a provision of direct spending or receipts legislation is enacted that the President designates as an emergency requirement and that the Congress so designates in statute, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be designated as an emergency requirement in the reports required under subsection (d). This subsection shall not apply to direct spending provisions to cover agricultural crop disaster assistance.

SEC. 253. [2 U.S.C. 903] ENFORCING DEFICIT TARGETS.

(a) SEQUESTRATION.—Within 15 calendar days after Congress adjourns to end a session (other than of the One Hundred First Congress) and on the same day as a sequestration (if any) under section 251 and section 252, but after any sequestration required by section 251 (enforcing discretionary spending limits) or section 252 (enforcing pay-as-you-go), there shall be a sequestration to eliminate the excess deficit (if any remains) if it exceeds the margin.

(b) EXCESS DEFICIT; MARGIN.—The excess deficit is, if greater than zero, the estimated deficit for the budget year, minus—

(1) the maximum deficit amount for that year;

(2) the amounts for that year designated as emergency direct spending or receipts legislation under section 252(e); and

(3) for any fiscal year in which there is not a full adjustment for technical and economic reestimates, the deposit insurance reestimate for that year, if any, calculated under subsection (h).

The “margin” for fiscal year 1992 or 1993 is zero and for fiscal year 1994 or 1995 is \$15,000,000,000.

(c) DIVIDING THE SEQUESTRATION.—To eliminate the excess deficit in a budget year, half of the required outlay reductions shall be obtained from non-exempt defense accounts (accounts designated as function 050 in the President’s fiscal year 1991 budget submission) and half from non-exempt, non-defense accounts (all other non-exempt accounts).

(d) DEFENSE.—Each non-exempt defense account shall be reduced by a dollar amount calculated by multiplying the level of sequestrable budgetary resources in that account at that time by the uniform percentage necessary to carry out subsection (c), except that, if any military personnel are exempt, adjustments shall be made under the procedure set forth in section 251(a)(3).

(e) NON-DEFENSE.—Actions to reduce non-defense accounts shall be taken in the following order:

(1) FIRST.—All reductions in automatic spending increases under section 256(a) shall be made.

(2) SECOND.—If additional reductions in non-defense accounts are required to be made, the maximum reduction per-

²¹ See clause 2(e) of rule XXI of the Rules of the House of Representatives.

missible under sections 256(b) (guaranteed student loans) and 256(c) (foster care and adoption assistance) shall be made.

(3) THIRD.—(A) If additional reductions in non-defense accounts are required to be made, each remaining non-exempt, non-defense account shall be reduced by the uniform percentage necessary to make the reductions in non-defense outlays required by subsection (c), except that—

(i) the medicare program specified in section 256(d) shall not be reduced by more than 2 percent in total including any reduction of less than 2 percent made under section 252 or, if it has been reduced by 2 percent or more under section 252, it may not be further reduced under this section; and

(ii) the health programs set forth in section 256(e) shall not be reduced by more than 2 percent in total (including any reduction made under section 251), and the uniform percent applicable to all other programs under this subsection shall be increased (if necessary) to a level sufficient to achieve the required reduction in non-defense outlays.

(B) For purposes of determining reductions under subparagraph (A), outlay reduction (as a result of sequestration of Commodity Credit Corporation commodity price support contracts in the fiscal year of a sequestration) that would occur in the following fiscal year shall be credited as outlay reductions in the fiscal year of the sequestration.

(f) BASELINE ASSUMPTIONS; PART-YEAR APPROPRIATIONS.—

(1) BUDGET ASSUMPTIONS.—For purposes of subsections (b), (c), (d), and (e), accounts shall be assumed to be at the level in the baseline minus any reductions required to be made under sections 251 and 252.

(2) PART-YEAR APPROPRIATIONS.—If, on the date specified in subsection (a), there is in effect an Act making or continuing appropriations for part of a fiscal year for any non-exempt budget account, then the dollar sequestration calculated for that account under subsection (d) or (e), as applicable, shall be subtracted from—

(A) the annualized amount otherwise available by law in that account under that or a subsequent part-year appropriation; and

(B) when a full-year appropriation for that account is enacted, from the amount otherwise provided by the full-year appropriation; except that the amount to be sequestered from that account shall be reduced (but not below zero) by the savings achieved by that appropriation when the enacted amount is less than the baseline for that account.

(g) ADJUSTMENTS TO MAXIMUM DEFICIT AMOUNTS.—

(1) ADJUSTMENTS.—

(A) When the President submits the budget for fiscal year 1992, the maximum deficit amounts for fiscal years 1992, 1993, 1994, and 1995 shall be adjusted to reflect up-to-date reestimates of economic and technical assumptions and any changes in concepts or definitions. When the President submits the budget for fiscal year 1993, the

maximum deficit amounts for fiscal years 1993, 1994, and 1995 shall be further adjusted to reflect up-to-date reestimates of economic and technical assumptions and any changes in concepts or definitions.

(B) When submitting the budget for fiscal year 1994, the President may choose to adjust the maximum deficit amounts for fiscal years 1994 and 1995 to reflect up-to-date reestimates of economic and technical assumptions. If the President chooses to adjust the maximum deficit amount when submitting the fiscal year 1994 budget, the President may choose to invoke the same adjustment procedure when submitting the budget for fiscal year 1995. In each case, the President must choose between making no adjustment or the full adjustment described in paragraph (2). If the President chooses to make that full adjustment, then those procedures for adjusting discretionary spending limits described in sections 251(b)(1)(C) and 251(b)(2)(E), otherwise applicable through fiscal year 1993 or 1994 (as the case may be), shall be deemed to apply for fiscal year 1994 (and 1995 if applicable).

(C) When the budget for fiscal year 1994 or 1995 is submitted and the sequestration reports for those years under section 254 are made (as applicable), if the President does not choose to make the adjustments set forth in subparagraph (B), the maximum deficit amount for that fiscal year shall be adjusted by the amount of the adjustment to discretionary spending limits first applicable for that year (if any) under section 251(b).

(D) For each fiscal year the adjustments required to be made with the submission of the President's budget for that year shall also be made when OMB submits the sequestration update report and the final sequestration report for that year, but OMB shall continue to use the economic and technical assumptions in the President's budget for that year.

Each adjustment shall be made by increasing or decreasing the maximum deficit amounts set forth in section 601 of the Congressional Budget Act of 1974.

(2) CALCULATIONS OF ADJUSTMENTS.—The required increase or decrease shall be calculated as follows:

(A) The baseline deficit or surplus shall be calculated using up-to-date economic and technical assumptions, using up-to-date concepts and definitions, and, in lieu of the baseline levels of discretionary appropriations, using the discretionary spending limits set forth in section 601 of the Congressional Budget Act of 1974 as adjusted under section 251.

(B) The net deficit increase or decrease caused by all direct spending and receipts legislation enacted after the date of enactment of this section (after adjusting for any sequestration of direct spending accounts) shall be calculated for each fiscal year by adding—

(i) the estimates of direct spending and receipts legislation transmitted under section 252(d) applicable to each such fiscal year; and

(ii) the estimated amount of savings in direct spending programs applicable to each such fiscal year resulting from the prior year's sequestration under this section or section 252 of direct spending, if any, as contained in OMB's final sequestration report for that year.

(C) The amount calculated under subparagraph (B) shall be subtracted from the amount calculated under subparagraph (A).

(D) The maximum deficit amount set forth in section 601 of the Congressional Budget Act of 1974 shall be subtracted from the amount calculated under subparagraph (C).

(E) The amount calculated under subparagraph (D) shall be the amount of the adjustment required by paragraph (1).

(h) TREATMENT OF DEPOSIT INSURANCE.—

(1) INITIAL ESTIMATES.—The initial estimates of the net costs of federal deposit insurance for fiscal year 1994 and fiscal year 1995 (assuming full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of the submission of the budget for fiscal year 1993) shall be set forth in that budget.

(2) REESTIMATES.—For fiscal year 1994 and fiscal year 1995, the amount of the reestimate of deposit insurance costs shall be calculated by subtracting the amount set forth under paragraph (1) for that year from the current estimate of deposit insurance costs (but assuming full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of submission of the budget for fiscal year 1993).

SEC. 254. [2 U.S.C. 904] REPORTS AND ORDERS.

(a) TIMETABLE.—The timetable with respect to this part for any budget year is as follows:

Date:	Action to be completed:
January 21	Notification regarding optional adjustment of maximum deficit amount.
5 days before the President's budget submission.	CBO sequestration preview report.
The President's budget submission	OMB sequestration preview report.
August 10	Notification regarding military personnel.
August 15	CBO sequestration update report.
August 20	OMB sequestration update report.
10 days after end of session	CBO final sequestration report.
15 days after end of session	OMB final sequestration report; Presidential order.

(b) SUBMISSION AND AVAILABILITY OF REPORTS.—Each report required by this section shall be submitted, in the case of CBO, to the House of Representatives, the Senate and OMB and, in the case of OMB, to the House of Representatives, the Senate, and the

President on the day it is issued. On the following day a notice of the report shall be printed in the Federal Register.

(c) SEQUESTRATION PREVIEW REPORTS.—

(1) REPORTING REQUIREMENT.—On the dates specified in subsection (a), OMB and CBO shall issue a preview report regarding discretionary, pay-as-you-go, and deficit sequestration based on laws enacted through those dates.

(2) DISCRETIONARY SEQUESTRATION REPORT.—The preview reports shall set forth estimates for the current year and each subsequent year through 2021 of the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under section 251.

(3) PAY-AS-YOU-GO SEQUESTRATION REPORTS.—The preview reports shall set forth, for the current year and the budget year, estimates for each of the following:

(A) The amount of net deficit increase or decrease, if any, calculated under section 252(b).

(B) A list identifying each law enacted and sequestration implemented after the date of enactment of this section included in the calculation of the amount of deficit increase or decrease and specifying the budgetary effect of each such law.

(C) The sequestration percentage or (if the required sequestration percentage is greater than the maximum allowable percentage for medicare) percentages necessary to eliminate a deficit increase under section 252(c).

(4) DEFICIT SEQUESTRATION REPORTS.—The preview reports shall set forth for the budget year estimates for each of the following:

(A) The maximum deficit amount, the estimated deficit calculated under section 253(b), the excess deficit, and the margin.

(B) The amount of reductions required under section 252, the excess deficit remaining after those reductions have been made, and the amount of reductions required from defense accounts and the reductions required from non-defense accounts.

(C) The sequestration percentage necessary to achieve the required reduction in defense accounts under section 253(d).

(D) The reductions required under sections 253(e)(1) and 253(e)(2).

(E) The sequestration percentage necessary to achieve the required reduction in non-defense accounts under section 253(e)(3).

The CBO report need not set forth the items other than the maximum deficit amount for fiscal year 1992, 1993, or any fiscal year for which the President notifies the House of Representatives and the Senate that he will adjust the maximum deficit amount under the option under section 253(g)(1)(B).

(5) EXPLANATION OF DIFFERENCES.—The OMB reports shall explain the differences between OMB and CBO estimates for each item set forth in this subsection.

(d) NOTIFICATION REGARDING MILITARY PERSONNEL.—On or before the date specified in subsection (a), the President shall notify the Congress of the manner in which he intends to exercise flexibility with respect to military personnel accounts under section 255(f).

(e) SEQUESTRATION UPDATE REPORTS.—On the dates specified in subsection (a), OMB and CBO shall issue a sequestration update report, reflecting laws enacted through those dates, containing all of the information required in the sequestration preview reports. This report shall also contain a preview estimate of the adjustment for disaster funding for the upcoming fiscal year.

(f) FINAL SEQUESTRATION REPORTS.—

(1) REPORTING REQUIREMENT.—On the dates specified in subsection (a), OMB and CBO shall issue a final sequestration report, updated to reflect laws enacted through those dates.

(2) DISCRETIONARY SEQUESTRATION REPORTS.—The final reports shall set forth estimates for each of the following:

(A) For the current year and each subsequent year through 2021 the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under section 251, including a final estimate of the adjustment for disaster funding.

(B) For the current year and the budget year the estimated new budget authority and outlays for each category and the breach, if any, in each category.

(C) For each category for which a sequestration is required, the sequestration percentages necessary to achieve the required reduction.

(D) For the budget year, for each account to be sequestered, estimates of the baseline level of sequesterable budgetary resources and resulting outlays and the amount of budgetary resources to be sequestered and resulting outlay reductions.

(3) PAY-AS-YOU-GO AND DEFICIT SEQUESTRATION REPORTS.—The final reports shall contain all the information required in the pay-as-you-go and deficit sequestration preview reports. In addition, these reports shall contain, for the budget year, for each account to be sequestered, estimates of the baseline level of sequesterable budgetary resources and resulting outlays and the amount of budgetary resources to be sequestered and resulting outlay reductions. The reports shall also contain estimates of the effects on outlays of the sequestration in each out-year for direct spending programs.

(4) EXPLANATION OF DIFFERENCES.—The OMB report shall explain any differences between OMB and CBO estimates of the amount of any net deficit change calculated under section 252(b), any excess deficit, any breach, and any required sequestration percentage. The OMB report shall also explain differences in the amount of sequesterable²² resources for any budget account to be reduced if such difference is greater than \$5,000,000.

²² So in original. Probably should be “sequesterable”.

(5) **PRESIDENTIAL ORDER.**—On the date specified in subsection (a), if in its final sequestration report OMB estimates that any sequestration is required, the President shall issue an order fully implementing without change all sequestrations required by the OMB calculations set forth in that report. This order shall be effective on issuance.

(g) **WITHIN-SESSION SEQUESTRATION REPORTS AND ORDER.**—If an appropriation for a fiscal year in progress is enacted (after Congress adjourns to end the session for that budget year and before July 1 of that fiscal year) that causes a breach, 10 days later CBO shall issue a report containing the information required in paragraph (f)(2). Fifteen days after enactment, OMB shall issue a report containing the information required in paragraphs (f)(2) and (f)(4). On the same day as the OMB report, the President shall issue an order fully implementing without change all sequestrations required by the OMB calculations set forth in that report. This order shall be effective on issuance.

(h) **GAO COMPLIANCE REPORT.**—Upon request of the Committee on the Budget of the House of Representatives or the Senate, the Comptroller General shall submit to the Congress and the President a report on—

(1) the extent to which each order issued by the President under this section complies with all of the requirements contained in this part, either certifying that the order fully and accurately complies with such requirements or indicating the respects in which it does not; and

(2) the extent to which each report issued by OMB or CBO under this section complies with all of the requirements contained in this part, either certifying that the report fully and accurately complies with such requirements or indicating the respects in which it does not.

(i) **LOW-GROWTH REPORT.**—At any time, CBO shall notify the Congress if—

(1) during the period consisting of the quarter during which such notification is given, the quarter preceding such notification, and the 4 quarters following such notification, CBO or OMB has determined that real economic growth is projected or estimated to be less than zero with respect to each of any 2 consecutive quarters within such period; or

(2) the most recent of the Department of Commerce's advance preliminary or final reports of actual real economic growth indicate that the rate of real economic growth for each of the most recently reported quarter and the immediately preceding quarter is less than one percent.

(j) **ECONOMIC AND TECHNICAL ASSUMPTIONS.**—In all reports required by this section, OMB shall use the same economic and technical assumptions as used in the most recent budget submitted by the President under section 1105(a) of title 31, United States Code.

SEC. 255. [2 U.S.C. 905] EXEMPT PROGRAMS AND ACTIVITIES.

(a) **SOCIAL SECURITY BENEFITS AND TIER I RAILROAD RETIREMENT BENEFITS.**—Benefits payable under the old-age, survivors, and disability insurance program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), and benefits payable under sections 3 and 4 of the Railroad Retirement Act of 1937 (45

U.S.C. 231 et seq.), shall be exempt from reduction under any order issued under this part.

(b) VETERANS PROGRAMS.—The following programs shall be exempt from reduction under any order issued under this part:

All programs administered by the Department of Veterans Affairs.

Special Benefits for Certain World War II Veterans (28-0401-0-1-701).

(c) NET INTEREST.—No reduction of payments for net interest (all of major functional category 900) shall be made under any order issued under this part.

(d) REFUNDABLE INCOME TAX CREDITS.—Payments to individuals made pursuant to provisions of the Internal Revenue Code of 1986 establishing refundable tax credits shall be exempt from reduction under any order issued under this part.

(e) NON-DEFENSE UNOBLIGATED BALANCES.—Unobligated balances of budget authority carried over from prior fiscal years, except balances in the defense category, shall be exempt from reduction under any order issued under this part.

(f) OPTIONAL EXEMPTION OF MILITARY PERSONNEL.—

(1) IN GENERAL.—The President may, with respect to any military personnel account, exempt that account from sequestration or provide for a lower uniform percentage reduction than would otherwise apply.

(2) LIMITATION.—The President may not use the authority provided by paragraph (1) unless the President notifies the Congress of the manner in which such authority will be exercised on or before the date specified in section 254(a) for the budget year.

(g) OTHER PROGRAMS AND ACTIVITIES.—

(1)(A) The following budget accounts and activities shall be exempt from reduction under any order issued under this part:

Activities resulting from private donations, bequests, or voluntary contributions to the Government.

Activities financed by voluntary payments to the Government for goods or services to be provided for such payments.

Administration of Territories, Northern Mariana Islands Covenant grants (14-0412-0-1-808).

Advances to the Unemployment Trust Fund and Other Funds (16-0327-0-1-600).

Black Lung Disability Trust Fund Refinancing (16-0329-0-1-601).

Bonneville Power Administration Fund and borrowing authority established pursuant to section 13 of Public Law 93-454 (1974), as amended (89-4045-0-3-271).

Claims, Judgments, and Relief Acts (20-1895-0-1-808).

Compact of Free Association (14-0415-0-1-808).

Compensation of the President (11-0209-01-1-802).

Comptroller of the Currency, Assessment Funds (20-8413-0-8-373).

Continuing Fund, Southeastern Power Administration (89-5653-0-2-271).

Continuing Fund, Southwestern Power Administration (89-5649-0-2-271).

Dual Benefits Payments Account (60-0111-0-1-601).

Emergency Fund, Western Area Power Administration (89-5069-0-2-271).

Exchange Stabilization Fund (20-4444-0-3-155).

Farm Credit Administration Operating Expenses Fund (78-4131-0-3-351).

Farm Credit System Insurance Corporation, Farm Credit Insurance Fund (78-4171-0-3-351).

Federal Deposit Insurance Corporation, Deposit Insurance Fund (51-4596-0-4-373).

Federal Deposit Insurance Corporation, FSLIC Resolution Fund (51-4065-0-3-373).

Federal Deposit Insurance Corporation, Noninterest Bearing Transaction Account Guarantee (51-4458-0-3-373).

Federal Deposit Insurance Corporation, Senior Unsecured Debt Guarantee (51-4457-0-3-373).

Federal Home Loan Mortgage Corporation (Freddie Mac).

Federal Housing Finance Agency, Administrative Expenses (95-5532-0-2-371).

Federal National Mortgage Corporation (Fannie Mae).

Federal Payment to the District of Columbia Judicial Retirement and Survivors Annuity Fund (20-1713-0-1-752).

Federal Payment to the District of Columbia Pension Fund (20-1714-0-1-601).

Federal Payments to the Railroad Retirement Accounts (60-0113-0-1-601).

Federal Reserve Bank Reimbursement Fund (20-1884-0-1-803).

Financial Agent Services (20-1802-0-1-803).

Foreign Military Sales Trust Fund (11-8242-0-7-155).

Hazardous Waste Management, Conservation Reserve Program (12-4336-0-3-999).

Host Nation Support Fund for Relocation (97-8337-0-7-051).

Internal Revenue Collections for Puerto Rico (20-5737-0-2-806).

Intragovernmental funds, including those from which the outlays are derived primarily from resources paid in from other government accounts, except to the extent such funds are augmented by direct appropriations for the fiscal year during which an order is in effect.

Medical Facilities Guarantee and Loan Fund (75-9931-0-3-551).

National Credit Union Administration, Central Liquidity Facility (25-4470-0-3-373).

National Credit Union Administration, Corporate Credit Union Share Guarantee Program (25-4476-0-3-376).

National Credit Union Administration, Credit Union Homeowners Affordability Relief Program (25-4473-0-3-371).

National Credit Union Administration, Credit Union Share Insurance Fund (25-4468-0-3-373).

National Credit Union Administration, Credit Union System Investment Program (25-4474-0-3-376).

National Credit Union Administration, Operating fund (25-4056-0-3-373).

National Credit Union Administration, Share Insurance Fund Corporate Debt Guarantee Program (25-4469-0-3-376).

National Credit Union Administration, U.S. Central Federal Credit Union Capital Program (25-4475-0-3-376).

Office of Thrift Supervision (20-4108-0-3-373).

Panama Canal Commission Compensation Fund (16-5155-0-2-602).

Payment of Vietnam and USS Pueblo prisoner-of-war claims within the Salaries and Expenses, Foreign Claims Settlement account (15-0100-0-1-153).

Payment to Civil Service Retirement and Disability Fund (24-0200-0-1-805).

Payment to Department of Defense Medicare-Eligible Retiree Health Care Fund (97-0850-0-1-054).

Payment to Judiciary Trust Funds (10-0941-0-1-752).

Payment to Military Retirement Fund (97-0040-0-1-054).

Payment to the Foreign Service Retirement and Disability Fund (19-0540-0-1-153).

Payments to Copyright Owners (03-5175-0-2-376).

Payments to Health Care Trust Funds (75-0580-0-1-571).

Payment to Radiation Exposure Compensation Trust Fund (15-0333-0-1-054).

Payments to Social Security Trust Funds (28-0404-0-1-651).

Payments to the United States Territories, Fiscal Assistance (14-0418-0-1-806).

Payments to trust funds from excise taxes or other receipts properly creditable to such trust funds.

Payments to widows and heirs of deceased Members of Congress (00-0215-0-1-801).

Postal Service Fund (18-4020-0-3-372).

Radiation Exposure Compensation Trust Fund (15-8116-0-1-054).

Reimbursement to Federal Reserve Banks (20-0562-0-1-803).

Salaries of Article III judges.

Soldiers and Airmen's Home, payment of claims (84-8930-0-7-705).

Tennessee Valley Authority Fund, except nonpower programs and activities (64-4110-0-3-999).

Tribal and Indian trust accounts within the Department of the Interior which fund prior legal obligations of the Government or which are established pursuant to Acts of Congress regarding Federal management of tribal real property or other fiduciary responsibilities, including but not limited to Tribal Special Fund (14-5265-0-2-452), Tribal Trust Fund (14-8030-0-7-452), White Earth Settlement (14-2204-0-1-452), and Indian Water Rights and Habitat Acquisition (14-5505-0-2-303).

United Mine Workers of America 1992 Benefit Plan (95-8260-0-7-551).

United Mine Workers of America 1993 Benefit Plan (95-8535-0-7-551).

United Mine Workers of America Combined Benefit Fund (95-8295-0-7-551).

United States Enrichment Corporation Fund (95-4054-0-3-271).

Universal Service Fund (27-5183-0-2-376).

Vaccine Injury Compensation (75-0320-0-1-551).

Vaccine Injury Compensation Program Trust Fund (20-8175-0-7-551).

(B) The following Federal retirement and disability accounts and activities shall be exempt from reduction under any order issued under this part:

Black Lung Disability Trust Fund (20-8144-0-7-601).

Central Intelligence Agency Retirement and Disability System Fund (56-3400-0-1-054).

Civil Service Retirement and Disability Fund (24-8135-0-7-602).

Comptrollers general retirement system (05-0107-0-1-801).

Contributions to U.S. Park Police annuity benefits, Other Permanent Appropriations (14-9924-0-2-303).

Court of Appeals for Veterans Claims Retirement Fund (95-8290-0-7-705).

Department of Defense Medicare-Eligible Retiree Health Care Fund (97-5472-0-2-551).

District of Columbia Federal Pension Fund (20-5511-0-2-601).

District of Columbia Judicial Retirement and Survivors Annuity Fund (20-8212-0-7-602).

Energy Employees Occupational Illness Compensation Fund (16-1523-0-1-053).

Foreign National Employees Separation Pay (97-8165-0-7-051).

Foreign Service National Defined Contributions Retirement Fund (19-5497-0-2-602).

Foreign Service National Separation Liability Trust Fund (19-8340-0-7-602).

Foreign Service Retirement and Disability Fund (19-8186-0-7-602).

Government Payment for Annuitants, Employees Health Benefits (24-0206-0-1-551).

Government Payment for Annuitants, Employee Life Insurance (24-0500-0-1-602).

Judicial Officers' Retirement Fund (10-8122-0-7-602).

Judicial Survivors' Annuities Fund (10-8110-0-7-602).

Military Retirement Fund (97-8097-0-7-602).

National Railroad Retirement Investment Trust (60-8118-0-7-601).

National Oceanic and Atmospheric Administration retirement (13-1450-0-1-306).

Pensions for former Presidents (47-0105-0-1-802).

Postal Service Retiree Health Benefits Fund (24-5391-0-2-551).

Public Safety Officer Benefits (15-0403-0-1-754).

Rail Industry Pension Fund (60-8011-0-7-601).

Retired Pay, Coast Guard (70-0602-0-1-403).

Retirement Pay and Medical Benefits for Commissioned Officers, Public Health Service (75-0379-0-1-551).

Special Benefits for Disabled Coal Miners (16-0169-0-1-601).

Special Benefits, Federal Employees' Compensation Act (16-1521-0-1-600).

Special Workers Compensation Expenses (16-9971-0-7-601).

Tax Court Judges Survivors Annuity Fund (23-8115-0-7-602).

United States Court of Federal Claims Judges' Retirement Fund (10-8124-0-7-602).

United States Secret Service, DC Annuity (70-0400-0-1-751).

Voluntary Separation Incentive Fund (97-8335-0-7-051).

(2) Prior legal obligations of the Government in the following budget accounts and activities shall be exempt from any order issued under this part:

Biomass Energy Development (20-0114-0-1-271).

Check Forgery Insurance Fund (20-4109-0-3-803).

Credit liquidating accounts.

Credit reestimates.

Employees Life Insurance Fund (24-8424-0-8-602).

Federal Aviation Insurance Revolving Fund (69-4120-0-3-402).

Federal Crop Insurance Corporation Fund (12-4085-0-3-351).

Federal Emergency Management Agency, National Flood Insurance Fund (58-4236-0-3-453).

Geothermal resources development fund (89-0206-0-1-271).

Low-Rent Public Housing—Loans and Other Expenses (86-4098-0-3-604).

Maritime Administration, War Risk Insurance Revolving Fund (69-4302-0-3-403).

Natural Resource Damage Assessment Fund (14-1618-0-1-302).

Overseas Private Investment Corporation, Noncredit Account (71-4184-0-3-151).

Pension Benefit Guaranty Corporation Fund (16-4204-0-3-601).

San Joaquin Restoration Fund (14-5537-0-2-301).

Servicemembers' Group Life Insurance Fund (36-4009-0-3-701).

Terrorism Insurance Program (20-0123-0-1-376).

(h) **LOW-INCOME PROGRAMS.**—The following programs shall be exempt from reduction under any order issued under this part:

Academic Competitiveness/Smart Grant Program (91-0205-0-1-502).

Child Care Entitlement to States (75-1550-0-1-609).

Child Enrollment Contingency Fund (75-5551-0-2-551).

Child Nutrition Programs (with the exception of special milk programs) (12-3539-0-1-605).

Children's Health Insurance Fund (75-0515-0-1-551).

Commodity Supplemental Food Program (12-3507-0-1-605).

Contingency Fund (75-1522-0-1-609).

Family Support Programs (75-1501-0-1-609).

Federal Pell Grants under section 401 of title IV of the Higher Education Act.

Grants to States for Medicaid (75-0512-0-1-551).

Payments for Foster Care and Permanency (75-1545-0-1-609).

Supplemental Nutrition Assistance Program (12-3505-0-1-605).

Supplemental Security Income Program (28-0406-0-1-609).

Temporary Assistance for Needy Families (75-1552-0-1-609).

(i) **ECONOMIC RECOVERY PROGRAMS.**—The following programs shall be exempt from reduction under any order issued under this part:

GSE Preferred Stock Purchase Agreements (20-0125-0-1-371).

Office of Financial Stability (20-0128-0-1-376).

Special Inspector General for the Troubled Asset Relief Program (20-0133-0-1-376).

(j) **SPLIT TREATMENT PROGRAMS.**—Each of the following programs shall be exempt from any order under this part to the extent that the budgetary resources of such programs are subject to obligation limitations in appropriations bills:

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

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

Operations and Research NHTSA and National Driver Register (69-8016-0-7-401).

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

Motor Carrier Safety Grants (69-8158-0-7-401).

Formula and Bus Grants (69-8350-0-7-401).

Grants-In-Aid for Airports (69–8106–0–7–402).

(k)²³ IDENTIFICATION OF PROGRAMS.—For purposes of subsections (b), (g), and (h), each account is identified by the designated budget account identification code number set forth in the Budget of the United States Government 2010–Appendix, and an activity within an account is designated by the name of the activity and the identification code number of the account.

SEC. 256. [2 U.S.C. 906] GENERAL AND SPECIAL SEQUESTRATION RULES.

(b)²⁴ STUDENT LOANS.—For all student loans under part B or D of title IV of the Higher Education Act of 1965 made during the period when a sequestration order under section 254 is in effect as required by section 252 or 253, origination fees under sections 438(c)(2) and (6) and 455(c) and loan processing and issuance fees under section 428(f)(1)(A)(ii) of that Act shall each be increased by the uniform percentage specified in that sequestration order, and, for student loans originated during the period of the sequestration, special allowance payments under section 438(b) of that Act accruing during the period of the sequestration shall be reduced by the uniform percentage specified in that sequestration order.

(d) SPECIAL RULES FOR MEDICARE PROGRAM.—

(1) CALCULATION OF REDUCTION IN PAYMENT AMOUNTS.—To achieve the total percentage reduction in those programs required by section 252 or 253, subject to paragraph (2), and notwithstanding section 710 of the Social Security Act, OMB shall determine, and the applicable Presidential order under section 254 shall implement, the percentage reduction that shall apply, with respect to the health insurance programs under title XVIII of the Social Security Act—

(A) in the case of parts A and B of such title, to individual payments for services furnished during the one-year period beginning on the first day of the first month beginning after the date the order is issued (or, if later, the date specified in paragraph (4)); and

(B) in the case of parts C and D, to monthly payments under contracts under such parts for the same one-year period;

such that the reduction made in payments under that order shall achieve the required total percentage reduction in those payments for that period.

(2) UNIFORM REDUCTION RATE; MAXIMUM PERMISSIBLE REDUCTION.—Reductions in payments for programs and activities under such title XVIII pursuant to a sequestration order under section 254 shall be at a uniform rate, which shall not exceed 4 percent, across all such programs and activities subject to such order.

(3) TIMING OF APPLICATION OF REDUCTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), if a reduction is made under paragraph (1) in payment amounts pursuant to a sequestration order, the reduction

²³So in law. See amendments made by subsections (a) and (d) of section 11 of Public Law 111–139.

²⁴There are no subsections (a) and (c) in section 256. See amendments made by subsections (a) and (c) of section 10 of Public Law 111–139.

shall be applied to payment for services furnished during the effective period of the order. For purposes of the previous sentence, in the case of inpatient services furnished for an individual, the services shall be considered to be furnished on the date of the individual's discharge from the inpatient facility.

(B) PAYMENT ON THE BASIS OF COST REPORTING PERIODS.—In the case in which payment for services of a provider of services is made under title XVIII of the Social Security Act on a basis relating to the reasonable cost incurred for the services during a cost reporting period of the provider, if a reduction is made under paragraph (1) in payment amounts pursuant to a sequestration order, the reduction shall be applied to payment for costs for such services incurred at any time during each cost reporting period of the provider any part of which occurs during the effective period of the order, but only (for each such cost reporting period) in the same proportion as the fraction of the cost reporting period that occurs during the effective period of the order.

(4) TIMING OF SUBSEQUENT SEQUESTRATION ORDER.—A sequestration order required by section 252 or 253 with respect to programs under such title XVIII shall not take effect until the first month beginning after the end of the effective period of any prior sequestration order with respect to such programs, as determined in accordance with paragraph (1).

(5) NO INCREASE IN BENEFICIARY CHARGES IN ASSIGNMENT-RELATED CASES.—If a reduction in payment amounts is made under paragraph (1) for services for which payment under part B of title XVIII of the Social Security Act is made on the basis of an assignment described in section 1842(b)(3)(B)(ii), in accordance with section 1842(b)(6)(B), or under the procedure described in section 1870(f)(1), of such Act, the person furnishing the services shall be considered to have accepted payment of the reasonable charge for the services, less any reduction in payment amount made pursuant to a sequestration order, as payment in full.

(6) SEQUESTRATION DISREGARDED IN COMPUTING PAYMENT AMOUNTS.—The Secretary of Health and Human Services shall not take into account any reductions in payment amounts which have been or may be effected under this part, for purposes of computing any adjustments to payment rates under such title XVIII, specifically including—

(A) the part C growth percentage under section 1853(c)(6);

(B) the part D annual growth rate under section 1860D–2(b)(6); and

(C) application of risk corridors to part D payment rates under section 1860D–15(e).

(7) EXEMPTIONS FROM SEQUESTRATION.—In addition to the programs and activities specified in section 255, the following shall be exempt from sequestration under this part:

(A) PART D LOW-INCOME SUBSIDIES.—Premium and cost-sharing subsidies under section 1860D–14 of the Social Security Act.

(B) PART D CATASTROPHIC SUBSIDY.—Payments under section 1860D–15(b) and (e)(2)(B) of the Social Security Act.

(C) QUALIFIED INDIVIDUAL (QI) PREMIUMS.—Payments to States for coverage of Medicare cost-sharing for certain low-income Medicare beneficiaries under section 1933 of the Social Security Act.

(e) COMMUNITY AND MIGRANT HEALTH CENTERS, INDIAN HEALTH SERVICES AND FACILITIES, AND VETERANS' MEDICAL CARE.—

(1) The maximum permissible reduction in budget authority for any account listed in paragraph (2) for any fiscal year, pursuant to an order issued under section 254, shall be 2 percent.

(2) The accounts referred to in paragraph (1) are as follows:

(A) Community health centers (75–0350–0–1–550).

(B) Migrant health centers (75–0350–0–1–550).

(C) Indian health facilities (75–0391–0–1–551).

(D) Indian health services (75–0390–0–1–551).

(E) Veterans' medical care (36–0160–0–1–703).

For purposes of the preceding provisions of this paragraph, programs are identified by the designated budget account identification code numbers set forth in the Budget of the United States Government—Appendix.

(f) TREATMENT OF CHILD SUPPORT ENFORCEMENT PROGRAM.—Notwithstanding any change in the display of budget accounts, any order issued by the President under section 254 shall accomplish the full amount of any required reduction in expenditures under sections 455 and 458 of the Social Security Act by reducing the Federal matching rate for State administrative costs under such program, as specified (for the fiscal year involved) in section 455(a) of such Act, to the extent necessary to reduce such expenditures by that amount.

(g) FEDERAL PAY.—

(1) IN GENERAL.—For purposes of any order issued under section 254—

(A) Federal pay under a statutory pay system, and

(B) elements of military pay,

shall be subject to reduction under an order in the same manner as other administrative expense components of the Federal budget; except that no such order may reduce or have the effect of reducing the rate of pay to which any individual is entitled under any such statutory pay system (as increased by any amount payable under section 5304 of title 5, United States Code, or section 302 of the Federal Employees Pay Comparability Act of 1990) or the rate of any element of military pay to which any individual is entitled under title 37, United States Code, or any increase in rates of pay which is scheduled to take effect under section 5303 of title 5, United States Code,

section 1009 of title 37, United States Code, or any other provision of law.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term “statutory pay system” shall have the meaning given that term in section 5302(1) of title 5, United States Code.

(B) The term “elements of military pay” means—

(i) the elements of compensation of members of the uniformed services specified in section 1009 of title 37, United States Code,

(ii) allowances provided members of the uniformed services under sections 403a and 405 of such title, and

(iii) cadet pay and midshipman pay under section 203(c) of such title.

(C) The term “uniformed services” shall have the meaning given that term in section 101(3) of title 37, United States Code.

(h) TREATMENT OF FEDERAL ADMINISTRATIVE EXPENSES.—

(1) Notwithstanding any other provision of this title, administrative expenses incurred by the departments and agencies, including independent agencies, of the Federal Government in connection with any program, project, activity, or account shall be subject to reduction pursuant to an order issued under section 254, without regard to any exemption, exception, limitation, or special rule which is otherwise applicable with respect to such program, project, activity, or account under this part.

(2) Notwithstanding any other provision of law, administrative expenses of any program, project, activity, or account which is self-supporting and does not receive appropriations shall be subject to reduction under a sequester order, unless specifically exempted in this part.

(3) Payments made by the Federal Government to reimburse or match administrative costs incurred by a State or political subdivision under or in connection with any program, project, activity, or account shall not be considered administrative expenses of the Federal Government for purposes of this section, and shall be subject to reduction or sequestration under this part to the extent (and only to the extent) that other payments made by the Federal Government under or in connection with that program, project, activity, or account are subject to such reduction or sequestration; except that Federal payments made to a State as reimbursement of administrative costs incurred by such State under or in connection with the unemployment compensation programs specified in subsection (h)(1) shall be subject to reduction or sequestration under this part notwithstanding the exemption otherwise granted to such programs under that subsection.

(4) Notwithstanding any other provision of law, this subsection shall not apply with respect to the following:

(A) Comptroller of the Currency.

(B) Federal Deposit Insurance Corporation.

(C) National Credit Union Administration.

(D) National Credit Union Administration, central liquidity facility.

(E) Federal Retirement Thrift Investment Board.

(F) Farm Credit Administration.

(i) TREATMENT OF PAYMENTS AND ADVANCES MADE WITH RESPECT TO UNEMPLOYMENT COMPENSATION PROGRAMS.—(1) For purposes of section 254—

(A) any amount paid as regular unemployment compensation by a State from its account in the Unemployment Trust Fund (established by section 904(a) of the Social Security Act),

(B) any advance made to a State from the Federal unemployment account (established by section 904(g) of such Act) under title XII of such Act and any advance appropriated to the Federal unemployment account pursuant to section 1203 of such Act, and

(C) any payment made from the Federal Employees Compensation Account (as established under section 909 of such Act) for the purpose of carrying out chapter 85 of title 5, United States Code, and funds appropriated or transferred to or otherwise deposited in such Account, shall not be subject to reduction.

(2)(A) A State may reduce each weekly benefit payment made under the Federal-State Extended Unemployment Compensation Act of 1970 for any week of unemployment occurring during any period with respect to which payments are reduced under an order issued under section 254 by a percentage not to exceed the percentage by which the Federal payment to the State under section 204 of such Act is to be reduced for such week as a result of such order.

(B) A reduction by a State in accordance with subparagraph (A) shall not be considered as a failure to fulfill the requirements of section 3304(a)(11) of the Internal Revenue Code of 1954.

(j) COMMODITY CREDIT CORPORATION.—

(1) POWERS AND AUTHORITIES OF THE COMMODITY CREDIT CORPORATION.—This title shall not restrict the Commodity Credit Corporation in the discharge of its authority and responsibility as a corporation to buy and sell commodities in world trade, to use the proceeds as a revolving fund to meet other obligations and otherwise operate as a corporation, the purpose for which it was created.

(2) REDUCTION IN PAYMENTS MADE UNDER CONTRACTS.—(A) Loan eligibility under any contract entered into with a person by the Commodity Credit Corporation prior to the time an order has been issued under section 254 shall not be reduced by an order subsequently issued. Subject to subparagraph (B), after an order is issued under such section for a fiscal year, any cash payments for loans or loan deficiencies made by the Commodity Credit Corporation shall be subject to reduction under the order.

(B) Each loan contract entered into with producers or producer cooperatives with respect to a particular crop of a commodity and subject to reduction under subparagraph (A) shall be reduced in accordance with the same terms and conditions. If some, but not all, contracts applicable to a crop of a commodity have been entered into prior to the issuance of an order

under section 254, the order shall provide that the necessary reduction in payments under contracts applicable to the commodity be uniformly applied to all contracts for the next succeeding crop of the commodity, under the authority provided in paragraph (3).

(3) DELAYED REDUCTION IN OUTLAYS PERMISSIBLE.—Notwithstanding any other provision of this title, if an order under section 254 is issued with respect to a fiscal year, any reduction under the order applicable to contracts described in paragraph (1) may provide for reductions in outlays for the account involved to occur in the fiscal year following the fiscal year to which the order applies.

(4) UNIFORM PERCENTAGE RATE OF REDUCTION AND OTHER LIMITATIONS.—All reductions described in paragraph (2) which are required to be made in connection with an order issued under section 254 with respect to a fiscal year shall be made so as to ensure that outlays for each program, project, activity, or account involved are reduced by a percentage rate that is uniform for all such programs, projects, activities, and accounts, and may not be made so as to achieve a percentage rate of reduction in any such item exceeding the rate specified in the order.

(5) DAIRY PROGRAM.—Notwithstanding any other provision of this subsection, as the sole means of achieving any reduction in outlays under the milk price support program, the Secretary of Agriculture shall provide for a reduction to be made in the price received by producers for all milk produced in the United States and marketed by producers for commercial use. That price reduction (measured in cents per hundred weight of milk marketed) shall occur under section 201(d)(2)(A) of the Agricultural Act of 1949 (7 U.S.C. 1446(d)(2)(A)), shall begin on the day any sequestration order is issued under section 254, and shall not exceed the aggregate amount of the reduction in outlays under the milk price support program that otherwise would have been achieved by reducing payments for the purchase of milk or the products of milk under this subsection during the applicable fiscal year.

(6) CERTAIN AUTHORITY NOT TO BE LIMITED.—Nothing in this joint resolution shall limit or reduce, in any way, any appropriation that provides the Commodity Credit Corporation with budget authority to cover the Corporation's net realized losses.

(k) EFFECTS OF SEQUESTRATION.—The effects of sequestration shall be as follows:

(1) Budgetary resources sequestered from any account shall be permanently cancelled, except as provided in paragraph (6).

(2) Except as otherwise provided, the same percentage sequestration shall apply to all programs, projects, and activities within a budget account (with programs, projects, and activities as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering that account, or for accounts not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(3) Administrative regulations or similar actions implementing a sequestration shall be made within 120 days of the sequestration order. To the extent that formula allocations differ at different levels of budgetary resources within an account, program, project, or activity, the sequestration shall be interpreted as producing a lower total appropriation, with the remaining amount of the appropriation being obligated in a manner consistent with program allocation formulas in substantive law.

(4) Except as otherwise provided, obligations in sequestered accounts shall be reduced only in the fiscal year in which a sequester occurs.

(5) If an automatic spending increase is sequestered, the increase (in the applicable index) that was disregarded as a result of that sequestration shall not be taken into account in any subsequent fiscal year.

(6) Budgetary resources sequestered in revolving, trust, and special fund accounts and offsetting collections sequestered in appropriation accounts shall not be available for obligation during the fiscal year in which the sequestration occurs, but shall be available in subsequent years to the extent otherwise provided in law.

SEC. 257. [2 U.S.C. 907] THE BASELINE.

(a) **IN GENERAL.**—For any budget year, the baseline refers to a projection of current-year levels of new budget authority, outlays, revenues, and the surplus or deficit into the budget year and the outyears based on laws enacted through the applicable date.

(b) **DIRECT SPENDING AND RECEIPTS.**—For the budget year and each outyear, the baseline shall be calculated using the following assumptions:

(1) **IN GENERAL.**—Laws providing or creating direct spending and receipts are assumed to operate in the manner specified in those laws for each such year and funding for entitlement authority is assumed to be adequate to make all payments required by those laws.

(2) **EXCEPTIONS.**—(A)(i) No program established by a law enacted on or before the date of enactment of the Balanced Budget Act of 1997 with estimated current year outlays greater than \$50,000,000 shall be assumed to expire in the budget year or the outyears. The scoring of new programs with estimated outlays greater than \$50,000,000 a year shall be based on scoring by the Committees on Budget or OMB, as applicable. OMB, CBO, and the Budget Committees shall consult on the scoring of such programs where there are differences between CBO and OMB.

(ii) On the expiration of the suspension of a provision of law that is suspended under section 171 of Public Law 104–127 and that authorizes a program with estimated fiscal year outlays that are greater than \$50,000,000, for purposes of clause (i), the program shall be assumed to continue to operate in the same manner as the program operated immediately before the expiration of the suspension.

(B) The increase for veterans' compensation for a fiscal year is assumed to be the same as that required by law for vet-

erans' pensions unless otherwise provided by law enacted in that session.

(C) Excise taxes dedicated to a trust fund, if expiring, are assumed to be extended at current rates.

(D) If any law expires before the budget year or any out-year, then any program with estimated current year outlays greater than \$50,000,000 that operates under that law shall be assumed to continue to operate under that law as in effect immediately before its expiration.

(3) HOSPITAL INSURANCE TRUST FUND.—Notwithstanding any other provision of law, the receipts and disbursements of the Hospital Insurance Trust Fund shall be included in all calculations required by this Act.

(c) DISCRETIONARY APPROPRIATIONS.—For the budget year and each outyear, the baseline shall be calculated using the following assumptions regarding all amounts other than those covered by subsection (b):

(1) INFLATION OF CURRENT-YEAR APPROPRIATIONS.—Budgetary resources other than unobligated balances shall be at the level provided for the budget year in full-year appropriation Acts. If for any account a full-year appropriation has not yet been enacted, budgetary resources other than unobligated balances shall be at the level available in the current year, adjusted sequentially and cumulatively for expiring housing contracts as specified in paragraph (2), for social insurance administrative expenses as specified in paragraph (3), to offset pay absorption and for pay annualization as specified in paragraph (4), for inflation as specified in paragraph (5), and to account for changes required by law in the level of agency payments for personnel benefits other than pay.

(2) EXPIRING HOUSING CONTRACTS.—New budget authority to renew expiring multiyear subsidized housing contracts shall be adjusted to reflect the difference in the number of such contracts that are scheduled to expire in that fiscal year and the number expiring in the current year, with the per-contract renewal cost equal to the average current-year cost of renewal contracts.

(3) SOCIAL INSURANCE ADMINISTRATIVE EXPENSES.—Budgetary resources for the administrative expenses of the following trust funds shall be adjusted by the percentage change in the beneficiary population from the current year to that fiscal year: the Federal Hospital Insurance Trust Fund, the Supplementary Medical Insurance Trust Fund, the Unemployment Trust Fund, and the railroad retirement account.

(4) PAY ANNUALIZATION; OFFSET TO PAY ABSORPTION.—Current-year new budget authority for Federal employees shall be adjusted to reflect the full 12-month costs (without absorption) of any pay adjustment that occurred in that fiscal year.

(5) INFLATORS.—The inflator used in paragraph (1) to adjust budgetary resources relating to personnel shall be the percent by which the average of the Bureau of Labor Statistics Employment Cost Index (wages and salaries, private industry workers) for that fiscal year differs from such index for the current year. The inflator used in paragraph (1) to adjust all other

budgetary resources shall be the percent by which the average of the estimated gross domestic product chain-type price index for that fiscal year differs from the average of such estimated index for the current year.

(6) CURRENT-YEAR APPROPRIATIONS.—If, for any account, a continuing appropriation is in effect for less than the entire current year, then the current-year amount shall be assumed to equal the amount that would be available if that continuing appropriation covered the entire fiscal year. If law permits the transfer of budget authority among budget accounts in the current year, the current-year level for an account shall reflect transfers accomplished by the submission of, or assumed for the current year in, the President's original budget for the budget year.

(d) UP-TO-DATE CONCEPTS.—In deriving the baseline for any budget year or outyear, current-year amounts shall be calculated using the concepts and definitions that are required for that budget year.

(e) ASSET SALES.—Amounts realized from the sale of an asset shall not be included in estimates under section 251, 252, or 253 if that sale would result in a financial cost to the Federal Government as determined pursuant to scorekeeping guidelines.

SEC. 258. [2 U.S.C. 907a] SUSPENSION IN THE EVENT OF WAR OR LOW GROWTH.

(a) PROCEDURES IN THE EVENT OF A LOW GROWTH REPORT.—

(1) TRIGGER.—Whenever CBO issues a low-growth report under section 254(i), the Majority Leader of the House of Representatives may, and the Majority Leader of the Senate shall, introduce a joint resolution (in the form set forth in paragraph (2)) declaring that the conditions specified in section 254(j) are met and suspending the relevant provisions of this title, titles III and VI of the Congressional Budget Act of 1974, and section 1103 of title 31, United States Code.

(2) FORM OF JOINT RESOLUTION.—

(A) The matter after the resolving clause in any joint resolution introduced pursuant to paragraph (1) shall be as follows: “That the Congress declares that the conditions specified in section 254(j)²⁵ of the Balanced Budget and Emergency Deficit Control Act of 1985 are met, and the implementation of the Congressional Budget and Impoundment Control Act of 1974, chapter 11 of title 31, United States Code, and part C of the Balanced Budget and Emergency Deficit Control Act of 1985 are modified as described in section 258(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

(B) The title of the joint resolution shall be “Joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.”; and the joint resolution shall not contain any preamble.

(3) COMMITTEE ACTION.—Each joint resolution introduced pursuant to paragraph (1) shall be referred to the appropriate

²⁵ So in law. Probably should be section 254(i).

committees of the House of Representatives or the Committee on the Budget of the Senate, as the case may be; and such Committee shall report the joint resolution to its House without amendment on or before the fifth day on which such House is in session after the date on which the joint resolution is introduced. If the Committee fails to report the joint resolution within the five-day period referred to in the preceding sentence, it shall be automatically discharged from further consideration of the joint resolution, and the joint resolution shall be placed on the appropriate calendar.

(4) CONSIDERATION OF JOINT RESOLUTION.—

(A) A vote on final passage of a joint resolution reported to the Senate or discharged pursuant to paragraph (3) shall be taken on or before the close of the fifth calendar day of session after the date on which the joint resolution is reported or after the Committee has been discharged from further consideration of the joint resolution. If prior to the passage by one House of a joint resolution of that House, that House receives the same joint resolution from the other House, then—

(i) the procedure in that House shall be the same as if no such joint resolution had been received from the other House, but

(ii) the vote on final passage shall be on the joint resolution of the other House.

When the joint resolution is agreed to, the Clerk of the House of Representatives (in the case of a House joint resolution agreed to in the House of Representatives) or the Secretary of the Senate (in the case of a Senate joint resolution agreed to in the Senate) shall cause the joint resolution to be engrossed, certified, and transmitted to the other House of the Congress as soon as practicable.

(B)(i) In the Senate, a joint resolution under this paragraph shall be privileged. It shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(ii) Debate in the Senate on a joint resolution under this paragraph, and all debatable motions and appeals in connection therewith, shall be limited to not more than five hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(iii) Debate in the Senate on any debatable motion or appeal in connection with a joint resolution under this paragraph shall be limited to not more than one hour, to be equally divided between, and controlled by, the mover and the manager of the joint resolution, except that in the event the manager of the joint resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee.

(iv) A motion in the Senate to further limit debate on a joint resolution under this paragraph is not debatable. A motion to table or to recommit a joint resolution under this paragraph is not in order.

(C) No amendment to a joint resolution considered under this paragraph shall be in order in the Senate.

(b) **SUSPENSION OF SEQUESTRATION PROCEDURES.**—Upon the enactment of a declaration of war or a joint resolution described in subsection (a)—

(1) the subsequent issuance of any sequestration report or any sequestration order is precluded;

(2) sections 302(f), 310(d), 311(a), and title VI of the Congressional Budget Act of 1974 are suspended; and

(3) section 1103 of title 31, United States Code, is suspended.

(c) **RESTORATION OF SEQUESTRATION PROCEDURES.**—

(1) In the event of a suspension of sequestration procedures due to a declaration of war, then, effective with the first fiscal year that begins in the session after the state of war is concluded by Senate ratification of the necessary treaties, the provisions of subsection (b) triggered by that declaration of war are no longer effective.

(2) In the event of a suspension of sequestration procedures due to the enactment of a joint resolution described in subsection (a), then, effective with regard to the first fiscal year beginning at least 12 months after the enactment of that resolution, the provisions of subsection (b) triggered by that resolution are no longer effective.

SEC. 258A. [2 U.S.C. 907b] MODIFICATION OF PRESIDENTIAL ORDER.

(a) **INTRODUCTION OF JOINT RESOLUTION.**—At any time after the Director of OMB issues a final sequestration report under section 254 for a fiscal year, but before the close of the twentieth calendar day of the session of Congress beginning after the date of issuance of such report, the majority leader of either House of Congress may introduce a joint resolution which contains provisions directing the President to modify the most recent order issued under section 254 or provide an alternative to reduce the deficit for such fiscal year. After the introduction of the first such joint resolution in either House of Congress in any calendar year, then no other joint resolution introduced in such House in such calendar year shall be subject to the procedures set forth in this section.

(b) **PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.**—

(1) **REFERRAL TO COMMITTEE.**—A joint resolution introduced in the Senate under subsection (a) shall not be referred to a committee of the Senate and shall be placed on the calendar pending disposition of such joint resolution in accordance with this subsection.

(2) **CONSIDERATION IN THE SENATE.**—On or after the third calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution is introduced under subsection (a), notwithstanding any rule or precedent of the Senate, including Rule XXII of the Standing Rules of the Senate, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the joint resolution. The motion is not in order after the eighth calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution (to which the motion applies) is intro-

duced. The joint resolution is privileged in the Senate. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the Senate shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the joint resolution shall remain the unfinished business of the Senate until disposed of.

(3) DEBATE IN THE SENATE.—

(A) In the Senate, debate on a joint resolution introduced under subsection (a), amendments thereto, and all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between the majority leader and the minority leader (or their designees).

(B) A motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order, and a motion to recommit the joint resolution is not in order.

(C)(i) No amendment that is not germane to the provisions of the joint resolution or to the order issued under section 254 shall be in order in the Senate. In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 30 minutes to be equally divided between, and controlled by, the mover and the majority leader (or their designees), except that in the event that the majority leader favors the amendment, motion, or appeal, the minority leader (or the minority leader's designee) shall control the time in opposition to the amendment, motion, or appeal.

(ii) In the Senate, an amendment that is otherwise in order shall be in order notwithstanding the fact that it amends the joint resolution in more than one place or amends language previously amended. It shall not be in order in the Senate to vote on the question of agreeing to such a joint resolution or any amendment thereto unless the figures then contained in such joint resolution or amendment are mathematically consistent.

(4) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution introduced under subsection (a), a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, and the disposition of any pending amendments under paragraph (3), the vote on final passage of the joint resolution shall occur.

(5) APPEALS.—Appeals from the decisions of the Chair shall be decided without debate.

(6) CONFERENCE REPORTS.—In the Senate, points of order under titles III, IV, and VI of the Congressional Budget Act of 1974 are applicable to a conference report on the joint resolution or any amendments in disagreement thereto.

(7) RESOLUTION FROM OTHER HOUSE.—If, before the passage by the Senate of a joint resolution of the Senate intro-

duced under subsection (a), the Senate receives from the House of Representatives a joint resolution introduced under subsection (a), then the following procedures shall apply:

(A) The joint resolution of the House of Representatives shall not be referred to a committee and shall be placed on the calendar.

(B) With respect to a joint resolution introduced under subsection (a) in the Senate—

(i) the procedure in the Senate shall be the same as if no joint resolution had been received from the House; but

(ii)(I) the vote on final passage shall be on the joint resolution of the House if it is identical to the joint resolution then pending for passage in the Senate; or

(II) if the joint resolution from the House is not identical to the joint resolution then pending for passage in the Senate and the Senate then passes the Senate joint resolution, the Senate shall be considered to have passed the House joint resolution as amended by the text of the Senate joint resolution.

(C) Upon disposition of the joint resolution received from the House, it shall no longer be in order to consider the resolution originated in the Senate.

(8) SENATE ACTION ON HOUSE RESOLUTION.—If the Senate receives from the House of Representatives a joint resolution introduced under subsection (a) after the Senate has disposed of a Senate originated resolution which is identical to the House passed joint resolution, the action of the Senate with regard to the disposition of the Senate originated joint resolution shall be deemed to be the action of the Senate with regard to the House originated joint resolution. If it is not identical to the House passed joint resolution, then the Senate shall be considered to have passed the joint resolution of the House as amended by the text of the Senate joint resolution.

SEC. 258B. [2 U.S.C. 907c] FLEXIBILITY AMONG DEFENSE PROGRAMS, PROJECTS, AND ACTIVITIES.

(a) Subject to subsections (b), (c), and (d), new budget authority and unobligated balances for any programs, projects, or activities within major functional category 050 (other than a military personnel account) may be further reduced beyond the amount specified in an order issued by the President under section 254 for such fiscal year. To the extent such additional reductions are made and result in additional outlay reductions, the President may provide for lesser reductions in new budget authority and unobligated balances for other programs, projects, or activities within major functional category 050 for such fiscal year, but only to the extent that the resulting outlay increases do not exceed the additional outlay reductions, and no such program, project, or activity may be increased above the level actually made available by law in appropriation Acts (before taking sequestration into account). In making calculations under this subsection, the President shall use account outlay rates that are identical to those used in the report by the Director of OMB under section 254.

(b) No actions taken by the President under subsection (a) for a fiscal year may result in a domestic base closure or realignment that would otherwise be subject to section 2687 of title 10, United States Code.

(c) The President may not exercise the authority provided by this paragraph²⁶ for a fiscal year unless—

(1) the President submits a single report to Congress specifying, for each account, the detailed changes proposed to be made for such fiscal year pursuant to this section;

(2) that report is submitted within 5 calendar days of the start of the next session of Congress; and

(3) a joint resolution affirming or modifying the changes proposed by the President pursuant to this paragraph²⁷ becomes law.

(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.²⁷

(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.”

(2) The title of the joint resolution shall be “Joint resolution approving the report of the President submitted under section 258B of the Balanced Budget and Emergency Deficit Control Act of 1985.”

(3) Such joint resolution shall not contain any preamble.

(f)(1) A joint resolution introduced in the Senate under subsection (d) shall be referred to the Committee on Appropriations, and if not reported within 5 calendar days (excluding Saturdays, Sundays, and legal holidays) from the date of introduction shall be considered as having been discharged therefrom and shall be placed on the appropriate calendar pending disposition of such joint resolution in accordance with this subsection. In the Senate, no amendment proposed in the Committee on Appropriations shall be in order other than an amendment (in the nature of a substitute) that is germane or relevant to the provisions of the joint resolution or to the order issued under section 254. For purposes of this paragraph, an amendment shall be considered to be relevant if it relates to function 050 (national defense).

(2) On or after the third calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution is placed on the Senate calendar, notwithstanding any rule or precedent of the Senate, including Rule XXII of the Standing Rules of the Senate, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the joint resolution. The motion is not in order after the eighth calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after such joint resolution is placed on the appropriate calendar. The motion is not debatable. The joint resolution is privileged in the Senate. A motion

²⁶So in original. Probably should be “section”.

to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the Senate shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the joint resolution shall remain the unfinished business of the Senate until disposed of.

(g)(1) In the Senate, debate on a joint resolution introduced under subsection (d), amendments thereto, and all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between the majority leader and the minority leader (or their designees).

(2) A motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order. In the Senate, a motion to recommit the joint resolution is not in order.

(h)(1) No amendment that is not germane or relevant to the provisions of the joint resolution or to the order issued under section 254 shall be in order in the Senate. For purposes of this paragraph, an amendment shall be considered to be relevant if it relates to function 050 (national defense). In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 30 minutes to be equally divided between, and controlled by, the mover and the majority leader (or their designees), except that in the event that the majority leader favors the amendment, motion, or appeal, the minority leader (or the minority leader's designee) shall control the time in opposition to the amendment, motion, or appeal.

(2) In the Senate, an amendment that is otherwise in order shall be in order notwithstanding the fact that it amends the joint resolution in more than one place or amends language previously amended, so long as the amendment makes or maintains mathematical consistency. It shall not be in order in the Senate to vote on the question of agreeing to such a joint resolution or any amendment thereto unless the figures then contained in such joint resolution or amendment are mathematically consistent.

(3) It shall not be in order in the Senate to consider any amendment to any joint resolution introduced under subsection (d) or any conference report thereon if such amendment or conference report would have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided in such joint resolution unless such amendment or conference report makes a reduction in other specific budget outlays at least equivalent to any increase in outlays provided by such amendment or conference report.

(4) For purposes of the application of paragraph (3), the level of outlays and specific budget outlay reductions provided in an amendment shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(i) Immediately following the conclusion of the debate on a joint resolution introduced under subsection (d), a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, and the disposition of any pending amend-

ments under subsection (h), the vote on final passage of the joint resolution shall occur.

(j) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (d) shall be decided without debate.

(k) In the Senate, points of order under titles III and IV of the Congressional Budget Act of 1974 (including points of order under sections 302(c), 303(a), 306, and 401(b)(1)) are applicable to a conference report on the joint resolution or any amendments in disagreement thereto.

(l) If, before the passage by the Senate of a joint resolution of the Senate introduced under subsection (d), the Senate receives from the House of Representatives a joint resolution introduced under subsection (d), then the following procedures shall apply:

(1) The joint resolution of the House of Representatives shall not be referred to a committee.

(2) With respect to a joint resolution introduced under subsection (d) in the Senate—

(A) the procedure in the Senate shall be the same as if no joint resolution had been received from the House; but

(B)(i) the vote on final passage shall be on the joint resolution of the House if it is identical to the joint resolution then pending for passage in the Senate; or

(ii) if the joint resolution from the House is not identical to the joint resolution then pending for passage in the Senate and the Senate then passes the Senate joint resolution, the Senate shall be considered to have passed the House joint resolution as amended by the text of the Senate joint resolution.

(3) Upon disposition of the joint resolution received from the House, it shall no longer be in order to consider the joint resolution originated in the Senate.

(m) If the Senate receives from the House of Representatives a joint resolution introduced under subsection (d) after the Senate has disposed of a Senate originated joint resolution which is identical to the House passed joint resolution, the action of the Senate with regard to the disposition of the Senate originated joint resolution shall be deemed to be the action of the Senate with regard to the House originated joint resolution. If it is not identical to the House passed joint resolution, then the Senate shall be considered to have passed the joint resolution of the House as amended by the text of the Senate joint resolution.

SEC. 258C. [2 U.S.C. 907d] SPECIAL RECONCILIATION PROCESS.

(a) REPORTING OF RESOLUTIONS AND RECONCILIATION BILLS AND RESOLUTIONS, IN THE SENATE.—

(1) COMMITTEE ALTERNATIVES TO PRESIDENTIAL ORDER.—

After the submission of an OMB sequestration update report under section 254 that envisions a sequestration under section 252 or 253, each standing committee of the Senate may, not later than October 10, submit to the Committee on the Budget of the Senate information of the type described in section 301(d) of the Congressional Budget Act of 1974 with respect to

alternatives to the order envisioned by such report insofar as such order affects laws within the jurisdiction of the committee.

(2) INITIAL BUDGET COMMITTEE ACTION.—After the submission of such a report, the Committee on the Budget of the Senate may, not later than October 15, report to the Senate a resolution. The resolution may affirm the impact of the order envisioned by such report, in whole or in part. To the extent that any part is not affirmed, the resolution shall state which parts are not affirmed and shall contain instructions to committees of the Senate of the type referred to in section 310(a) of the Congressional Budget Act of 1974, sufficient to achieve at least the total level of deficit reduction contained in those sections which are not affirmed.

(3) RESPONSE OF COMMITTEES.—Committees instructed pursuant to paragraph (2), or affected thereby, shall submit their responses to the Budget Committee no later than 10 days after the resolution referred to in paragraph (2) is agreed to, except that if only one such Committee is so instructed such Committee shall, by the same date, report to the Senate a reconciliation bill or reconciliation resolution containing its recommendations in response to such instructions. A committee shall be considered to have complied with all instructions to it pursuant to a resolution adopted under paragraph (2) if it has made recommendations with respect to matters within its jurisdiction which would result in a reduction in the deficit at least equal to the total reduction directed by such instructions.

(4) BUDGET COMMITTEE ACTION.—Upon receipt of the recommendations received in response to a resolution referred to in paragraph (2), the Budget Committee shall report to the Senate a reconciliation bill or reconciliation resolution, or both, carrying out all such recommendations without any substantive revisions. In the event that a committee instructed in a resolution referred to in paragraph (2) fails to submit any recommendation (or, when only one committee is instructed, fails to report a reconciliation bill or resolution) in response to such instructions, the Budget Committee shall include in the reconciliation bill or reconciliation resolution reported pursuant to this subparagraph legislative language within the jurisdiction of the noncomplying committee to achieve the amount of deficit reduction directed in such instructions.

(5) POINT OF ORDER.—It shall not be in order in the Senate to consider any reconciliation bill or reconciliation resolution reported under paragraph (4) with respect to a fiscal year, any amendment thereto, or any conference report thereon if—

(A) the enactment of such bill or resolution as reported;

(B) the adoption and enactment of such amendment;

or

(C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the amount of the deficit for such fiscal year to exceed the maximum deficit amount for such fiscal year, unless the low-growth report submitted under section 254 projects

negative real economic growth for such fiscal year, or for each of any two consecutive quarters during such fiscal year.

(6) TREATMENT OF CERTAIN AMENDMENTS.—In the Senate, an amendment which adds to a resolution reported under paragraph (2) an instruction of the type referred to in such paragraph shall be in order during the consideration of such resolution if such amendment would be in order but for the fact that it would be held to be non-germane on the basis that the instruction constitutes new matter.

(7) DEFINITION.—For purposes of paragraphs (1), (2), and (3), the term “day” shall mean any calendar day on which the Senate is in session.

(b) PROCEDURES.—

(1) IN GENERAL.—Except as provided in paragraph (2), in the Senate the provisions of sections 305 and 310 of the Congressional Budget Act of 1974 for the consideration of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration of resolutions, and reconciliation bills and reconciliation resolutions reported under this paragraph and conference reports thereon.

(2) LIMIT ON DEBATE.—Debate in the Senate on any resolution reported pursuant to subsection (a)(2), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to 10 hours.

(3) LIMITATION ON AMENDMENTS.—Section 310(d)(2) of the Congressional Budget Act shall apply to reconciliation bills and reconciliation resolutions reported under this subsection.

(4) BILLS AND RESOLUTIONS RECEIVED FROM THE HOUSE.—Any bill or resolution received in the Senate from the House, which is a companion to a reconciliation bill or reconciliation resolution of the Senate for the purposes of this subsection, shall be considered in the Senate pursuant to the provisions of this subsection.

(5) DEFINITION.—For purposes of this subsection, the term “resolution” means a simple, joint, or concurrent resolution.

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PART E—MISCELLANEOUS AND RELATED PROVISIONS

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SEC. 274. [2 U.S.C. 922] JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any order that might be issued pursuant to section 254 violates the Constitution.

(2) Any Member of Congress, or any other person adversely affected by any action taken under this title, may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief concerning the constitutionality of this title.

(3) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for

declaratory and injunctive relief on the ground that the terms of an order issued under section 254 do not comply with the requirements of this title.

(4) A copy of any complaint in an action brought under paragraph (1), (2), or (3) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(5) Any action brought under paragraph (1), (2), or (3) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1), (2), or (3) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1), (2), or (3) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1), (2), or (3) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

(d) NONCOMPLIANCE WITH SEQUESTRATION PROCEDURES.—

(1) If it is finally determined by a court of competent jurisdiction that an order issued by the President under section 254 for any fiscal year—

(A) does not reduce automatic spending increases under any program specified in section 256(a) if such increases are required to be reduced by part C of this title (or reduces such increases by a greater extent than is so required), or

(B) does not sequester the amount of budgetary resources which is required to be sequestered by such part (or sequesters more than that amount) with respect to any program, project, activity, or account,
the President shall, within 20 days after such determination is made, revise the order in accordance with such determination.

(2) If the order issued by the President under section 254 for any fiscal year—

(A) does not reduce any automatic spending increase to the extent that such increase is required to be reduced by part C of this title,

(B) does not sequester any amount of new budget authority, new loan guarantee commitments, new direct loan

obligations, or spending authority which is required to be sequestered by such part, or

(C) does not reduce any obligation limitation by the amount by which such limitation is required to be reduced under such part,

on the claim or defense that the constitutional powers of the President prevent such sequestration or reduction or permit the avoidance of such sequestration or reduction, and such claim or defense is finally determined by the Supreme Court of the United States to be valid, then the entire order issued pursuant to section 254 for such fiscal year shall be null and void.

(e) **TIMING OF RELIEF.**—No order of any court granting declaratory or injunctive relief from the order of the President issued under section 254, including but not limited to relief permitting or requiring the expenditure of funds sequestered by such order, shall take effect during the pendency of the action before such court, during the time appeal may be taken, or, if appeal is taken, during the period before the court to which such appeal is taken has entered its final order disposing of such action.

(f) **PRESERVATION OF OTHER RIGHTS.**—The rights created by this section are in addition to the rights of any person under law, subject to subsection (e).

(g) **ECONOMIC DATA, ASSUMPTIONS, AND METHODOLOGIES.**—The economic data and economic assumptions used by the Director of OMB in computing the figures specified in any report issued by the Director of OMB under section 254, shall not be subject to review in any judicial or administrative proceeding.

【Section 275 repealed by section 104(a) of the Budget Control Act of 2011 (Public Law 112–25).】

