

Calendar No. 306

116TH CONGRESS }
2d Session }

SENATE

{ REPORT
116-325 }

THE BIPARTISAN CONGRESSIONAL BUDGET
REFORM ACT

R E P O R T

OF THE

COMMITTEE ON THE BUDGET
UNITED STATES SENATE

TO ACCOMPANY

S. 2765

TOGETHER WITH

ADDITIONAL VIEWS



DECEMBER 15, 2020.—Ordered to be printed

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WASHINGTON : 2020

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THE BIPARTISAN CONGRESSIONAL BUDGET REFORM ACT

DECEMBER 15, 2020.—Ordered to be printed

Mr. ENZI, from the Committee on the Budget,
submitted the following

R E P O R T

TOGETHER WITH

ADDITIONAL VIEWS

[To accompany S. 2765]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Budget, to which was referred the bill (S. 2765) to improve Federal fiscal controls and the congressional budget process, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill, as amended, do pass.

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I. PURPOSE

The purpose of S. 2765, the Bipartisan Congressional Budget Reform Act, is to provide a more deliberative and transparent budget process focused on long-term fiscal planning. The legislation would transition the congressional budget process to a biennial cycle, improve procedures for Senate consideration and enforcement of budget resolutions, enhance fiscal transparency, and help end the brinksmanship surrounding the debt limit.

II. BACKGROUND AND NEED FOR LEGISLATION

The Congressional Budget and Impoundment Control Act of 1974 was enacted to establish a new congressional budget process, Committees on the Budget in each House, a Congressional Budget Office (CBO), a procedure for providing congressional control over the impoundment of funds by the executive branch, and for other purposes. Titles I through IX of that Act are cited as the “Congressional Budget Act of 1974.” Parts A and B of title X are cited as the “Impoundment Control Act of 1974.”

In the intervening 45 years since the law’s enactment, the budgeting and spending process has deteriorated. Government shutdowns, continuing resolutions, threats of default, and the failure to pass or adhere to budget resolutions are all symptoms of a dysfunctional system.

S. 2765, the Bipartisan Congressional Budget Reform Act, will not fix all of our fiscal challenges, but it marks an important step forward in improving a broken budget process. This legislation is the result of years of careful consideration by senators on both sides of the aisle. Reporting this measure marks the first bipartisan budget process reform legislation to be advanced by the Senate Committee on the Budget in nearly 30 years.

III. SUMMARY OF PROVISIONS

S. 2765 would do the following:

- Move the budget resolution from an annual cycle to a 2-year cycle, while maintaining annual appropriations.
- Focus on fiscal sustainability by requiring the budget resolution to establish a debt-to-gross domestic product (GDP) target backed by a deficit-reducing special reconciliation process to promote budget adherence.
- Maintain existing reconciliation practices and procedures.
- Require more involvement from Senate spending and tax-writing committees to better inform the development of the budget resolution.
- Create a mechanism within the regular budget process to conform the debt limit to levels called for in the budget resolution.
- Establish an optional bipartisan pathway through which statutory discretionary spending caps could be set for 2 years, and the debt limit could be aligned with budget resolution levels. The support of at least 60 Senators, including at least 15 members of the minority, would be required under this pathway.
- Provide a more orderly process for Senate consideration of budget resolutions that preserves the ability of Senators on both sides of the aisle to offer amendments.

- Rename the Senate Committee on the Budget the Committee on Fiscal Control and the Budget, and make the chairs and ranking members of the Appropriations and Finance Committees non-voting members of the committee. In cases where the chair or ranking member of either of those committees already serves on the committee in his or her individual capacity, that member would retain voting privileges.
- Enhance fiscal transparency by requiring that up-to-date tabulations of congressional budget action be publicly posted.
- Require CBO and the Government Accountability Office (GAO) to regularly review and report to Congress on portfolios of Federal spending and tax expenditures to help lawmakers make more informed budgetary decisions.
- Require CBO to provide additional public reports, such as reviews of the accuracy of its past projections and cost estimates and reports on its future transparency actions. The bill would also require interest costs to be included in cost estimates of direct spending, revenue, and supplemental appropriations measures. It would mandate that CBO publish public scores of appropriations measures when they are approved by committee, which will provide additional information on advanced appropriations and changes in mandatory programs (CHIMPs).

IV. LEGISLATIVE HISTORY

S. 2765, the Bipartisan Congressional Budget Reform Act, was introduced on October 31, 2019, by Senators Mike Enzi [R-WY], Sheldon Whitehouse [D-RI], Charles Grassley [R-IA], Tim Kaine [D-VA], Mike Crapo [R-ID], Angus King [I-ME], Lindsey Graham [R-SC], Chris Coons [D-DE], John Barrasso [R-WY], Roy Blunt [R-MO], Ron Johnson [R-WI], David Perdue [R-GA], John Kennedy [R-LA], Kevin Cramer [R-ND], and Mike Braun [R-IN]. The bill was read twice and referred to the Senate Committee on the Budget. Senators Rick Scott [R-FL] and Mark Warner [D-VA] joined as cosponsors on November 5, 2019. Subsequently, Senators John Cornyn [R-TX], Lamar Alexander [R-TN], Joni Ernst [R-IA], Deb Fischer [R-NE], James Lankford [R-OK], and James Risch [R-ID] have all joined as cosponsors.

The Committee considered S. 2765 at a business meeting on November 6, 2019. Chairman Mike Enzi and Senator Whitehouse offered a substitute amendment that reflected bipartisan improvements and technical corrections. The Committee adopted the substitute amendment, as well as amendments offered by Senators Toomey, Kaine, and Van Hollen. On November 6, 2019, the Committee ordered the Act, as amended, be reported favorably by roll call vote. Senators present for the vote on reporting the Act, as amended, included: Enzi, Grassley, Crapo, Graham, Toomey, Johnson, Perdue, Braun, Scott, Cramer, Murray, Wyden, Stabenow, Whitehouse, Warner, Merkley, Kaine, and Van Hollen. On November 13, 2019, S. 2765 was reported favorably with an amendment (in the nature of a substitute).

V. CBO COST ESTIMATE



Congressional Budget Office
Cost Estimate

December 9, 2019

S. 2765, Bipartisan Congressional Budget Reform Act			
As reported by the Senate Committee on the Budget on November 13, 2019			
By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	3	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 2765 would substantially revise the Congressional budget process to require biennial budgeting, institute special reconciliation procedures to take effect if the federal debt is projected to exceed a specified amount, and modify the budget calendar. The bill also would, among other changes, create a set of five budget portfolios that would each consist of a subset of budget functions and related tax expenditures. Those revisions would not, by themselves, have a direct budgetary effect, but they could influence Congressional decisionmaking about budget-related legislation.

S. 2765 also would make a number of changes to the reporting and analytical duties of the Congressional Budget Office, the Government Accountability Office (GAO), and the Office of Management and Budget (OMB).

Under S. 2765, a number of reports, analyses, or estimates that CBO currently produces would be statutorily required (in some cases with small changes). In addition, CBO would be required to:

- Produce a report by February 15 in even-numbered years that analyzes whether the ratio of debt held by the public to gross domestic product in the final year of the budget resolution meets the target set in the budget resolution. If the agency estimates the target would not be achieved, the report would include an estimate of the amount of deficit reduction that would be required in order to achieve that target.

See also CBO's *Cost Estimates Explained*, www.cbo.gov/publication/54437; *How CBO Prepares Cost Estimates*, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42804.

- Make supplemental information available to the extent practicable for cost estimates of major legislation as defined by the bill. Such information would include key models, assumptions, and data preparation routines.
- Include in its cost estimates, as supplemental information, the estimated outlays for debt-service costs that would result if the bill were enacted.
- Produce an annual budget portfolio report after November 15. The report would include a list of accounts in the portfolio, levels of budget authority provided in recent years for those accounts, information on the major trust funds included in the portfolio, options to reduce the deficit, and an analysis of various alternative scenarios affecting major accounts.

S. 2765 would require GAO to produce an annual budget portfolio report by November 15. Among other things that report would include:

- A list of duplicative, overlapping, and fragmented accounts and tax expenditures.
- A list of any high-risk programs or tax expenditures in the portfolio.
- An analysis of various alternative scenarios affecting major accounts or tax expenditures.
- Legislative and funding history for the 10 largest accounts or tax expenditures that meet certain criteria.

S. 2765, under OMB and other federal executive branch agencies would need to upgrade information technology systems in order to accommodate the requirements of the new budget process. In addition, the bill would require OMB to:

- Produce an administrative budget by December 1 each year. The budget would include up-to-date estimates for the current year and prior year data as well as certain information related to federal credit programs.
- Include in the budget submission a volume for each of the five budget portfolios created by the bill. Those volumes would include justifications for any change to a government activity or function.
- Post each document apportioning an appropriation, including associated footnotes, on a publically accessible website on the date of approval.

Using information provided by the affected agencies, CBO estimates that enacting S. 2765 would cost \$3 million over the 2020-2024 period mostly for additional personnel and data systems costs; such spending would be subject to the availability of appropriated funds.

Table 1.
Estimated Increases in Spending Subject to Appropriation Under S. 2765

	By Fiscal Year, Millions of Dollars					2020-2024
	2020	2021	2022	2023	2024	
Estimated Authorization	*	1	1	1	1	3
Estimated Outlays	*	1	1	1	1	3

* = between zero and \$500,000.

The CBO staff contact for this estimate is Barry Blom. The estimate was reviewed by Theresa Gullo, Assistant Director for Budget Analysis.

VI. REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 2765, as reported, would have no effect on the number or types of individuals and businesses regulated.

ECONOMIC IMPACT

S. 2765, as reported, is not expected to have a negative impact on the Nation's economy.

PRIVACY

S. 2765, as reported, is not expected to have an adverse impact on the personal privacy of individuals.

PAPERWORK

S. 2765, as reported, would not increase paperwork requirements. The legislation does place additional reporting requirements on the Congressional Budget Office, the Government Accountability Office (GAO), and the Office of Management and the Budget in order to improve transparency in the Federal budget and spending processes.

VII. CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

VIII. SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section identifies the short title of the Act as the “Bipartisan Congressional Budget Reform Act.”

Section 2. Table of contents.

This section provides for the Act’s table of contents.

TITLE I—BUDGET TIMELINE AND INFORMATION

Section 101. Revision of timetable.

This section amends section 300 of the Congressional Budget Act of 1974 and provides a new timetable with respect to the congressional budget process. The budget process will move to a biennial cycle, and the President will be required to submit an administrative budget by December 1st each year. This removes the need for the CBO to produce 2 separate baselines early in the year and provides Congress with necessary budget information earlier in the process. The deadline for committee views and estimates letters in the Senate is moved to March 1st, and the target for completion of action on a congressional budget resolution is changed to May 15th. This section also contains an alternative timeline to accommodate the first year of a new presidential administration.

Section 102. Budget submissions by the President.

This section amends title 31 of the United States Code, which governs the contents of the President’s budget, to reflect the change to a biennial budget cycle. The required elements of the administrative budget are also specified.

Section 103. Baseline construction.

This section amends section 257(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 and provides that discretionary appropriations designated as emergency, overseas contingency operations, or in a manner that makes spending not subject to congressional enforcement under section 302 or section 311 of the Congressional Budget Act of 1974, shall not be assumed to continue in future years.

Section 104. Report on debt-to-GDP targets.

This section directs CBO, not later than February 15th of each even-numbered year, to report on whether the ratio of the debt held by the public to GDP of the United States set by the most recently agreed to concurrent resolution on the budget will be achieved.

TITLE II—BIENNIAL BUDGETING, CONTENTS OF BUDGET RESOLUTION, AND BIPARTISAN BUDGETS

Section 201. Biennial budgeting generally.

The budget resolution process moves to a biennial cycle with a resolution agreed to in the first year and additional enforcement tools available in the second year of the biennium.

Section 202. Contents of concurrent resolution on the budget.

This section amends section 301 of the Congressional Budget Act of 1974 to reflect the move to a biennial budget cycle. It requires topline discretionary spending levels be included in the budget resolution text and those figures to show discretionary spending that would be immediately allocated to the Appropriations Committee and spending that would be held in reserve for other purposes or excluded from allocation totals. This section also requires mandatory spending to be displayed on a budget function basis and the inclusion of figures showing annual debt subject to limit, debt held by the public, and the underlying GDP assumed in the concurrent resolution. The budget resolution shall also include a projected debt-to-GDP target for each year covered by the budget resolution. While the budget resolution remains a concurrent resolution, a new mechanism is established under a new section 316 of the Congressional Budget Act of 1974 to automatically generate a joint resolution to conform the debt limit to the levels called for in the budget resolution.

An optional pathway is also created for bipartisan budget resolutions reported by the Committee with the support of not less than half of the members of the majority party and not less than half of the members of the minority party of the Committee. Such bipartisan budgets may receive expedited consideration in the Senate under procedures jointly agreed to by the Senate majority and minority leaders. Under this section, adoption of a bipartisan budget resolution in the Senate requires the support of at least 60 Senators, including at least 15 members of the minority party; if this threshold is not met, the budget resolution is returned to the Committee on the Budget. Upon adoption of such a resolution, a joint resolution is automatically generated to conform the debt limit to the levels called for in the budget resolution and establish statutory discretionary spending caps for the biennium. The motion to proceed to appropriations measures in the first biennium covered by a bipartisan budget is non-debatable. Additionally, numerically insignificant budget points of order would not apply, subject to the discretion of the Chairman of the Committee on Fiscal Control and the Budget.

Section 203. Additional matters relating to concurrent resolution.

This section amends section 301(d) of the Congressional Budget Act of 1974 to require Senate committees to submit views and estimates on the contents of the budget resolution by March 1st. Committees are required to include plans responsive to CBO's most recent report on unauthorized appropriations as well as plans for improved government performance based on relevant Inspectors General and GAO reports and recommendations. The House and Senate tax-writing committees are required to include revenue outlooks and estimates of the budgetary effects of any tax changes the committees plan to seek, including the extension of expiring tax provisions. Tax expenditures are made optional content in a budget resolution. The inclusion of the optional tax expenditure data is done for supplemental informational purposes, as the budgetary effects of tax expenditures are already factored into the resolution's functional spending and aggregated revenue and spending figures.

Section 204. Committee allocations.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 205. Section 303 point of order.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 206. Permissible revisions of concurrent resolutions on the budget.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 207. Procedures for consideration of budget resolutions.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 208. Completion of House action on appropriation bills.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 209. Reconciliation process.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 210. Section 311 point of order.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

Section 211. Maximum deficit amount point of order.

This section includes conforming changes to reflect the move to a biennial budget cycle and the revised budget timetable.

TITLE III—COMMITTEE ON FISCAL CONTROL AND THE BUDGET

Section 301. Committee on Fiscal Control and the Budget of the Senate.

This section renames the Senate Committee on the Budget the Senate Committee on Fiscal Control and the Budget. This section also makes the chairs and ranking members of both the Appropriations and Finance Committees *ex officio*, non-voting members of the Committee on Fiscal Control and the Budget.

Section 302. Technical and conforming amendments.

This section amends the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act, and other legislation to reflect the renamed Senate committee.

Section 303. References.

This section provides that any reference in any law, regulation, map, document, record, or other paper of the United States to the Committee on the Budget of the Senate shall be deemed a ref-

erence to the Committee on Fiscal Control and the Budget of the Senate.

TITLE IV—SPECIAL RECONCILIATION INSTRUCTIONS

Section 401. Special reconciliation instructions.

This section provides a means to initiate a special reconciliation process in the event the CBO report required by section 104 of this Act indicates that the debt-to-GDP target under the most recently agreed to concurrent budget resolution will not be achieved. If applicable, no later than April 15th of the second year of the biennium, the Committee on Fiscal Control and the Budget shall report to the Senate a resolution specifying: (1) the total level of deficit reduction and the period during which it is to be achieved under the special reconciliation process and (2) reconciliation instructions to one or more Senate committees specifying the total amount of deficit reduction to be achieved through changes in laws within the jurisdiction of each such committee (all reconciliation instructions must reduce the deficit through changes to spending and/or revenue levels). The motion to proceed to a special reconciliation resolution is non-debatable, and debate on the resolution is limited to 10 hours. The consideration of amendments to the resolution shall alternate between amendments offered by members of the minority party and amendments offered by members of the majority.

Not later than May 15th, instructed committees are required to submit their recommended changes to the Committee on Fiscal Control and the Budget. The Committee on Fiscal Control and the Budget shall report to the full Senate special reconciliation legislation carrying out all recommended changes without substantive revision, except in the case of committees that fail to report compliant recommendations. In such case, to induce compliance, the Committee on Fiscal Control and the Budget may report changes in laws within the jurisdiction of a noncompliant committee to meet that committee's agreed upon instruction. Special reconciliation legislation shall be considered in the Senate under the same procedures as regular reconciliation legislation. The existing Byrd Rule, including the prohibition against direct changes to Social Security levels, applies to this process. The Act outlines a special rule for revenue measures reported pursuant to this section.

TITLE V—CONGRESSIONAL BUDGET ENFORCEMENT AND ACCOUNTABILITY

Section 501. Up-to-date tabulations of congressional budget action.

Under this section, the Chair of the House Committee on the Budget and the Chair of the Senate Committee on Fiscal Control and the Budget are required to release, and make available to the public, scorekeeping reports tracking compliance with the budget. These scorekeeping reports shall track current law levels of spending and revenue with the concurrent resolution's allowable spending, both on an aggregate and committee-based basis, and revenue levels.

Section 502. Surgical strike point of order relating to legislation dealing with the congressional budget.

Section 306 of the Congressional Budget Act of 1974 provides a point of order against legislation dealing with a matter within the Committee on the Budget's jurisdiction unless that legislation has been reported by, or is amending legislation reported by, the Senate Committee on the Budget. This section makes the current section 306 point of order surgical, so that if sustained, it only strikes the offending provision, while the rest of the measure remains pending before the Senate.

Section 503. Global waiver for general budget points of order.

This section disallows the use of global, preemptive waivers for surgical points of order. This ensures that points of order that could immediately remedy the text, by removing the offending provisions of the legislation, could be considered without unduly disrupting floor operations.

Section 504. Point of order against certain changes in mandatory programs affecting the Crime Victims Fund.

This section establishes a point of order against certain CHIMPs affecting the Crime Victims Fund.

Section 505. Impoundments.

This section amends the Impoundment Control Act of 1974 to increase public reporting of the Office of Management and Budget's apportionment process and install a timing restraint on administrative deferral or rescission efforts under that Act.

Section 506. Effective date.

This section clarifies that title V of this Act shall take effect on the date of enactment.

TITLE VI—REPORTS

Section 601. Reports to the Committee on Fiscal Control and the Budget of the Senate and the Committee on the Budget of the House of Representatives.

This section requires CBO to review and report to Congress on the accuracy of its past economic and baseline projections, review the accuracy of past cost estimates, and submit an annual plan outlining current and future transparency initiatives. It also requires CBO to make available important information underlying the cost estimates of major legislation and reports related to the ratio of debt held by the public-to-GDP.

Section 602. Reporting on interest effects and budgetary effects.

This section requires CBO to include, as supplemental information, projected interest costs in its estimates for mandatory spending programs, revenue changes, and supplemental appropriations bills. This section requires CBO to include 10 years of estimates of spending subject to appropriations, doubling the current requirement of 5 years. It also requires CBO to produce public estimates of appropriations legislation that include the costs associated with any advanced appropriations or CHIMPs.

Section 603. Portfolio budgeting.

This section requires CBO and GAO to regularly review and report to Congress on portfolios of Federal spending and tax expenditures. Specifically, the agencies will identify Federal investments in duplicative, overlapping, and fragmented programs, along with long-term funding trends. Portfolio reports shall occur on a staggered 5-year, recurring cycle.

Section 604. Budget contents and submission to Congress.

This section requires the President's budget to include legislative proposals and justifications for changes related to the portfolio reviewed by CBO and GAO for the relevant fiscal year.

TITLE VII—MODIFICATION OF CONSIDERATION OF BUDGET RESOLUTION

Section 701. Modification of consideration of budget resolution.

This section amends section 305(b) of the Congressional Budget Act of 1974 to provide a new process for Senate consideration of the budget resolution. The 50-hour limit on Senate debate of a budget resolution is changed to a limit on consideration. General debate on the resolution is limited to 20 hours and all remaining time is reserved for amendments. The consideration of amendments shall alternate between those offered by members of the majority and those offered by members of the minority to ensure the ability of Senators from both parties to offer amendments. In the event members of the majority or minority no longer have amendments for consideration, the remaining amendments shall be processed until disposed of, without regard for alternation. The maximum debate time on first degree amendments is reduced from 2 hours to 1 hour to allow for the consideration of more amendments.

Such changes only apply to Senate consideration of budget resolutions; they do not: (1) preclude adoption of a managers' package, (2) apply to reconciliation bills, or (3) change procedures in the House of Representatives.

TITLE VIII—EFFECTIVE DATE

Section 801. Effective date; applicability.

This section prescribes that some of the provisions in the Act, including the requirement for CBO cost estimates to include interest effects and the new enforcement provisions, take effect immediately upon enactment of the legislation. The biennial budget cycle and special reconciliation begin in fiscal year 2022 with the start of the 117th Congress.

IX. COMMITTEE VOTES

On November 4, 2019, Senators Enzi and Whitehouse provided a substitute amendment to S. 2765, the Bipartisan Congressional Budget Reform Act, to Budget Committee Member offices.

On November 6, 2019, with a quorum present, the Chairman of the Senate Committee on the Budget held a Markup to consider S. 2765. The substitute amendment offered by Senators Enzi and Whitehouse was adopted by unanimous consent and served as

original text for purposes of further amendment. The following votes were taken during the Committee markup of S. 2765:

1. An amendment offered by Senators Wyden, Murray, and Stabenow to strike title IV of the bill.

The amendment was not agreed to by a roll call vote of 7 ayes and 14 noes.

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
ENZI (WY) (Chairman)		X		SANDERS (VT) (Ranking)	X		
GRASSLEY (IA)		X		MURRAY (WA)	X		
CRAPO (ID)		X		WYDEN (OR)	X		
GRAHAM (SC)		X		STABENOW (MI)	X		
TOOMEY (PA)		X		WHITEHOUSE (RI)		X	
JOHNSON (WI)		X		WARNER (VA)		X	
PERDUE (GA)		X		MERKLEY (OR)	X		
BRAUN (IN)		X		KAINE (VA)		X	
SCOTT (FL)		X		VAN HOLLEN (MD)	X		
KENNEDY (LA)		X		HARRIS (CA)	X		
CRAMER (ND)		X					

2. An amendment offered by Senator Toomey to curtail the use of CHIMPs affecting the Crime Victims Fund to inflate spending.

The amendment was agreed to by a voice vote.

3. An Amendment offered by Senator Merkley to require CBO to report on the distributional effects of reconciliation bills.

The amendment was not agreed to by a roll call vote of 10 ayes and 11 noes.

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
ENZI (WY) (Chairman)		X		SANDERS (VT) (Ranking)	X		
GRASSLEY (IA)		X		MURRAY (WA)	X		
CRAPO (ID)		X		WYDEN (OR)	X		
GRAHAM (SC)		X		STABENOW (MI)	X		
TOOMEY (PA)		X		WHITEHOUSE (RI)	X		
JOHNSON (WI)		X		WARNER (VA)	X		
PERDUE (GA)		X		MERKLEY (OR)	X		
BRAUN (IN)		X		KAINE (VA)	X		
SCOTT (FL)		X		VAN HOLLEN (MD)	X		
KENNEDY (LA)		X		HARRIS (CA)	X		
CRAMER (ND)		X					

4. An amendment offered by Senator Perdue to align the fiscal year with the calendar year.

The amendment was not agreed to by a roll call vote of 9 ayes and 12 noes.

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
ENZI (WY) (Chairman)		X		SANDERS (VT) (Ranking)		X	
GRASSLEY (IA)		X		MURRAY (WA)		X	
CRAPO (ID)	X			WYDEN (OR)		X	
GRAHAM (SC)		X		STABENOW (MI)		X	
TOOMEY (PA)		X		WHITEHOUSE (RI)		X	
JOHNSON (WI)		X		WARNER (VA)	X		
PERDUE (GA)	X			MERKLEY (OR)	X		
BRAUN (IN)	X			KAINE (VA)	X		
SCOTT (FL)	X			VAN HOLLEN (MD)	X		
KENNEDY (LA)		X		HARRIS (CA)		X	
CRAMER (ND)	X						

5. An amendment offered by Senators Kaine, Wyden, Murray, Whitehouse, Warner, and Merkley to include tax expenditures in the portfolio budgeting reporting requirements.

The amendment was agreed to by a voice vote.

6. An amendment offered by Senator Van Hollen to modify the requirements of the Impoundment Control Act of 1974.

The amendment was agreed to by a roll call vote of 13 ayes and 8 noes.

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
ENZI (WY) (Chairman)		X		SANDERS (VT) (Ranking)	X		
GRASSLEY (IA)		X		MURRAY (WA)	X		
CRAPO (ID)		X		WYDEN (OR)	X		
GRAHAM (SC)	X			STABENOW (MI)	X		
TOOMEY (PA)	X			WHITEHOUSE (RI)	X		
JOHNSON (WI)		X		WARNER (VA)	X		
PERDUE (GA)	X			MERKLEY (OR)	X		
BRAUN (IN)		X		KAINE (VA)	X		
SCOTT (FL)		X		VAN HOLLEN (MD)	X		
KENNEDY (LA)		X		HARRIS (CA)	X		
CRAMER (ND)		X					

Following the roll call vote on Senator Van Hollen's amendment, the Committee stood in recess subject to the call of the Chair to accommodate votes on the Senate floor. Upon reconvening, Chairman Enzi made a motion to report the bill favorably, as amended. The motion was agreed to and S. 2765, as amended, was reported favorably by a roll call vote of 15 ayes and 6 noes.

Name & State	Aye	No	Answer Present	Name & State	Aye	No	Answer Present
ENZI (WY) (Chairman)	X			SANDERS (VT) (Ranking)		X	
GRASSLEY (IA)	X			MURRAY (WA)		X	
CRAPO (ID)	X			WYDEN (OR)		X	
GRAHAM (SC)	X			STABENOW (MI)		X	
TOOMEY (PA)	X			WHITEHOUSE (RI)	X		
JOHNSON (WI)	X			WARNER (VA)	X		
PERDUE (GA)	X			MERKLEY (OR)		X	
BRAUN (IN)	X			KAINE (VA)	X		
SCOTT (FL)	X			VAN HOLLEN (MD)	X		
KENNEDY (LA)	X			HARRIS (CA)		X	
CRAMER (ND)	X						

X. ADDITIONAL VIEWS

ADDITIONAL VIEWS OF SENATOR CHUCK GRASSLEY

STATEMENT ON BUDGET PROCESS REFORM LEGISLATION

I thank Chairman Enzi for his leadership in arriving at bipartisan legislation to fix our broken budget and spending process. I also appreciate the work that Senator Whitehouse has put into development of the legislation.

Chairman Enzi has held many hearings and meetings with Members of Congress and stakeholders to ensure that the process through which this legislation was developed has been open, transparent, and thorough.

At a time when bipartisan accomplishments are often hard to come by, Chairman Enzi has worked tirelessly to arrive at bipartisan proposals to help manage the Nation's finances and increase oversight and accountability in the budget process.

I support the budget reform legislation that we will consider today. And I again express my appreciation for Chairman Enzi's leadership and Senator Whitehouse's hard work on this effort.

CHUCK GRASSLEY.

ADDITIONAL VIEWS OF SENATOR CHRIS VAN HOLLEN
STATEMENT ON THE BIPARTISAN CONGRESSIONAL BUDGET REFORM
ACT

I supported advancing the Bipartisan Congressional Budget Reform Act in the Senate Budget Committee to move the process forward on the impoundment control measures adopted by the committee on a bipartisan basis, but I have strong reservations about other aspects of this legislation that must be addressed before I support this legislation on the Senate floor.

I oppose the special reconciliation instructions in title IV of the bill, and I supported the amendment to strike that title from the bill. This special reconciliation process is triggered in the second year of the budget resolution if CBO projects that the debt-to-GDP ratio will exceed the budget resolution's target. This is especially likely to happen when the economy is in recession—sending exactly the wrong signal to push Congress toward fiscal austerity when economic recovery measures are most desperately needed. I am especially concerned that this process reduces transparency and accountability in ways that could make it easier for a future Congress to make deeply destructive cuts to important middle-class programs like Medicare and Medicaid.

I am also concerned about title VII of the bill, which curtails the rights of Senators to offer amendments to a budget resolution. This eliminates one of the few places where Senators have an open amendment process, replacing it with a system in which the majority leader and minority leader will take turns deciding which amendment gets a vote. I support the structured amendment process in the bill only if Senators can still offer amendments at the end of that process.

I voted to advance this legislation through the committee because it now includes urgently needed reforms to reassert the congressional power of the purse. I offered an amendment to include provisions in this bill to strengthen the Impoundment Control Act of 1974, in order to prevent any administration from permanently withholding funds for congressionally mandated programs. This committee sent a powerful signal by adopting the amendment on a bipartisan basis.

The Impoundment Control Act allows the President to withhold funds for up to 45 days after proposing legislation to Congress to rescind those funds, but the funds must be released unless Congress passes that rescission legislation. President Trump has repeatedly considered abusing this rule to withhold funds that are about to expire, thereby canceling them regardless of whether Congress passes a rescission bill. The Government Accountability Office has determined that this would be illegal, and the amendment passed by the Senate Budget Committee as part of this legislation builds on that legal opinion with stronger rules to ensure that funds are made available for obligation before they expire.

Additionally, the amendment requires increased disclosure of how the executive branch is making funds available to be spent. This would reveal situations where the executive branch is withholding funds without telling Congress—as was recently uncovered with Ukrainian foreign aid, and which the Government Account-

ability Office discovered in 2017 at the Energy Department's Advanced Research Projects Agency.

I hope that Congress will act decisively to enact these reforms to the Impoundment Control Act, and look forward to working with colleagues on both sides of the aisle to consider how to best reform the budget process.

CHRIS VAN HOLLEN.

REPORT BY THE CENTER ON BUDGET AND POLICY PRIORITIES,
SUBMITTED BY SENATOR RON WYDEN

AUTOMATIC RECONCILIATION AN UNDESIRABLE PART OF ENZI-WHITEHOUSE BUDGET
PROCESS BILL—COULD DRIVE HARMFUL BUDGET CUTS, UNSOUND ECONOMIC POLICY

[By Richard Kogan and Joel Friedman, dated November 4, 2019]

The Senate Budget Committee is scheduled to consider legislation this week from Chairman Mike Enzi and Committee member Sheldon Whitehouse that would alter the congressional budget process in highly problematic ways. Although the bill includes positive elements (see [ENZI-WHITEHOUSE ALSO HAS POSITIVE ELEMENTS below]), it also includes a significant land mine—a requirement that Congress craft and consider deficit-reduction legislation under highly expedited “reconciliation” procedures if the Congressional Budget Office (CBO) finds that the debt projection for the final year that the congressional budget resolution covers (e.g., the 10th year of the 10-year budget resolution that Congress adopted the previous year) is higher than that reflected in the budget resolution. That finding is very likely, history shows, and it could drive deep cuts in mandatory programs such as Medicare, Medicaid, health insurance subsidies, SNAP, and Supplemental Security Income (SSI)—and at a time when the economy is weak, thus making the economy still weaker.

Enzi-Whitehouse (S. 2765) would shift the congressional budget resolution from an annual document to one that covers two years. Under the bill, Congress would approve a budget resolution in the first year of a two-year session. Then, on February 15 of the second year, CBO would calculate whether the debt ratio—the debt held by the public as a share of the economy (gross domestic product, or GDP)—for the final year of the budget resolution would exceed the debt ratio projected for that year in the budget resolution that Congress adopted a year earlier. Such a CBO calculation would trigger a new, *automatic* deficit-reduction process. That new, automatic process would be even more expedited than the current reconciliation process on which it’s modeled, though it also differs from that process in crucial ways and has major flaws.

Tying reconciliation to debt estimates that can vary widely from year to year is ill-advised fiscal policy for several reasons. It likely would drive the public debate toward hitting an ever-moving debt-ratio figure and away from using the budget to address key national issues. Most worrisome, the new, automatic deficit-reduction process would likely increase the chances that policymakers would make budget cuts (thus, imposing austerity) at times when the economy is weak or in recession, which would further weaken the economy. In addition, the new process would confer sweeping new powers on the Senate Budget Committee while weakening the Senate as a whole—and its authorizing committees in particular—in developing important fiscal policies.¹

Enzi-Whitehouse also would retain the existing reconciliation process, prompting the question of why a second one is needed.

ENZI-WHITEHOUSE ALSO HAS POSITIVE ELEMENTS

Some elements of Enzi-Whitehouse could prove helpful, most notably a provision that could reduce dangerous brinksmanship around raising the statutory debt limit. The bill provides that, if Congress agrees to a budget resolution, legislation raising the debt limit to the level in that resolution would be deemed to have passed Congress and go directly to the President, avoiding separate House and Senate votes solely on the debt limit. Known as the “Gephardt procedure” (after the former Democratic Majority Leader who spearheaded a similar rule in the House), this provision would substantially reduce the risk of a harmful federal default and of artificial crises in which a minority can threaten to force a default to obtain concessions on other issues. An even better approach would be to repeal the debt limit (see <https://www.cbpp.org/blog/the-debt-ceiling-scrap-it-or-adopt-the-danes-great-approach>) or, as a fallback, to suspend the debt limit for the duration of the time that an approved budget resolution is in effect.

The bill also would move budget resolutions to a biennial schedule, which could be a more realistic approach to designing budget plans, while retaining the role of annual appropriations bills to fund the government on an annual basis.

¹Although the bill proposes changes to the entire congressional budget process, it addresses only Senate procedures. The Senate sponsors of this legislation presumably expect that the House would add parallel House procedures if it were to consider the bill.

RECONCILIATION SHOULD NOT BE TIED TO UNCERTAIN BUDGET PROJECTIONS

The process that would trigger a new, automatic reconciliation process could force budget cuts that are disconnected from a solid policy rationale. The projected final-year debt ratio might exceed the level projected in the budget resolution:

- Because, even though the debt ratio is falling, it's not falling as fast as the budget resolution assumed; or
- Because Congress rejected a deficit-reduction plan of spending cuts and/or tax increases the previous year or the President vetoed it; or
- Because the Federal Reserve set interest rates somewhat higher than the budget resolution had assumed, increasing interest costs and thereby leading to higher deficits and debt; or
- Because of purely technical reasons related to underlying demographic and other assumptions about current-law spending and revenue levels, unrelated to any changes in policies that affect projected deficits. Stated another way, even if Congress made every change in spending and tax policy assumed in its budget resolution, CBO might still subsequently project a final-year debt-ratio level higher than the level that the budget resolution projected for that year.²

What programs are at risk? Congress can use reconciliation to change revenue and mandatory programs, except Social Security. The largest mandatory programs, more or less in order, are Medicare, Medicaid and the Children's Health Insurance Program (CHIP), refundable tax credits (Earned Income Tax Credit, the Child Tax Credit, and the Affordable Care Act's premium tax credits), civil service retirement, veterans' compensation and pensions, SNAP, military retirement, SSI, family support and foster care, farm supports and crop insurance, and child nutrition.

(Note: Policymakers cannot change Social Security in a reconciliation bill. The level of debt held by the public, however, is driven by the entire budget, including Social Security, even though Social Security is designated by law an "off-budget federal agency." Therefore, debt ratio projections also will vary from earlier expectations if Social Security cost or revenue projections change. As a result, under auto-reconciliation, *other* mandatory programs may have to be cut to make up for, say, a decrease in projected Social Security revenues.)

Of major concern, the media and the public may interpret a CBO finding that the projected debt ratio for the final year will be exceeded as an official, non-partisan determination that Congress didn't meet its budget commitments, and that policymakers now should reduce the deficit by the excess amount that CBO calculates. The bill gives the Senate Budget Committee authority to set a different amount of deficit reduction (smaller or larger) than CBO projects. But the media and public will logically presume that the CBO estimate would be the most appropriate amount. Furthermore, they will presume that policymakers need to reduce the deficit even if current economic circumstances suggest the opposite, as discussed below.

Effect of the Automatic Process If Applied to Past Budgets

Were this process in place for the last four budget resolutions that Congress adopted, for fiscal years 2010, 2016, 2017, and 2018,³ *the last three* would have generated a CBO calculation projecting a tenth-year debt ratio above those in the budget resolutions, thereby *triggering the auto-reconciliation process in each case*.⁴

Under Enzi-Whitehouse, CBO is also required to estimate the size of the policy savings—mandatory program cuts or revenue increases—needed over the multi-year period of a budget resolution to hit its final-year debt ratios.⁵ Those CBO reports would have shown the following amounts of budget cuts for a ten-year auto-reconciliation bill: \$3.0 trillion for the 2018 budget resolution; \$1.0 trillion for the 2017 budget resolution; and \$5.5 trillion for the 2016 budget resolution.

The 2018 budget resolution is particularly instructive. It paved the way for the 2017 tax cut legislation, which increased the deficit by an estimated \$1.9 trillion

² Also see the Appendix.

³ Both the 2017 and the 2018 budget resolutions were created and agreed to in calendar year 2017. One might say that Congress agreed to two budget resolutions for fiscal year 2018. The first created a reconciliation process intended to repeal the Affordable Care Act, though that failed. The second created a reconciliation process to enact the 2017 tax cuts. As a result, with respect to each of those two budget resolutions, the CBO debt-ratio calculation would (under Enzi-Whitehouse) have occurred in February 2018 and used the same CBO baseline.

⁴ The 2010 resolution, in contrast, would have generated a CBO calculation projecting a lower fifth-year debt ratio than in that five-year budget resolution, and so would not have triggered the auto-reconciliation process.

⁵ Existing law does not require the assumed level of GDP to be shown in budget resolutions, and it has not been. Our calculations are made under the understanding that the budget resolution in question had relied on the GDP levels projected by CBO in applicable baselines.

over ten years.⁶ Under Enzi-Whitehouse, CBO would have estimated two months after policymakers enacted the tax cuts that the debt ratio in the resolution was being exceeded, and that \$3.0 trillion of deficit reduction would be required to meet that ratio.⁷ That would have triggered the automatic process to reduce the deficit. In designing a deficit-reduction package, the Republican majority surely would have protected the new tax cuts, instead designing a package solely of cuts to mandatory programs—an approach that would have exacerbated the inequities in the new tax law, which provided the overwhelming share of its tax cuts to the Nation’s wealthiest households and most profitable corporations.⁸

Moreover, even though CBO’s projections are highly credible, they are—like all budget projections—subject to substantial variation that, under Enzi-Whitehouse, could trigger the automatic deficit-reduction process. CBO recently assessed its past projections of deficits and debt,⁹ measuring the accuracy of each of its five-year debt projections since 1984, excluding the effects of legislation. While that’s not the same calculation that Enzi-Whitehouse would require, it highlights the impact of shifting economic and technical estimating assumptions. Although CBO found little or no bias in its projections, some projections were far too high and some were far too low. *Its fifth-year debt projections missed the mark by an average of 7.1 percent of GDP.* Five years from now, that would equal \$1.8 trillion. And ten-year projections would have been off by substantially larger amounts. Nevertheless, CBO found that, since 1984, its multi-year economic forecasts have been as good as the forecasts of the Office of Management and Budget or the Blue Chip consensus, showing that *all* such forecasts are inherently uncertain.

AUTOMATIC AUSTERITY IS UNSOUND ECONOMIC POLICY

Most worrisome, the final-year debt ratio in a budget resolution might be exceeded mainly, if not exclusively, because the expected pace of future economic growth slowed in the year after Congress adopted the budget resolution. *Periods of slower economic growth are exactly the wrong time to enact new budget cuts because they would make a weak economy still weaker and make recessions that are underway deeper.*

Potentially, the Senate Budget Committee could address this challenge in three ways, but none seems realistic:

- First, the Committee could set the final-year debt ratio in the budget resolution much higher than anticipated given its policy, economic, and technical assumptions,¹⁰ thereby reducing the risk that CBO will calculate in the following year that the debt ratio would be breached. But setting higher levels of debt in the budget resolution seems quite unlikely; indeed, the far likelier scenario, given the history of recent budget resolutions, is that Congress will be *overly optimistic* in its “out-year” projections in order to make the debt problem seem less serious than it is—thereby increasing the chances that a large, economically ill-advised deficit-reduction package would be triggered as the economy is slowing.
- Second, if the final-year debt ratio is on track to be breached, the Committee could ignore the CBO estimate of the amount of deficit reduction needed to hit the assumed debt-ratio level and instead set a very low auto-reconciliation deficit-reduction target, such as \$1. But deficit “hawks” would almost certainly deride such an approach as irresponsible gimmickry, even when it would be the most prudent economic policy. The public debate would likely fixate on reports about gimmickry, when instead it should focus on whether (or how much) eco-

⁶“2017 Tax Law Is Fundamentally Flawed,” Center on Budget and Policy Priorities, updated, October 31, 2018, <https://www.cbpp.org/research/federal-tax/2017-tax-law-is-fundamentally-flawed>.

⁷The figure of \$3.0 trillion over ten years occurs because the tax cut was supposed to cost \$1.5 trillion over ten years, not \$1.9 trillion, and the budget resolution assumed deep specified and unspecified cuts to mandatory programs that were not enacted (nor did the budget resolution use the standard reconciliation process to attempt to enact them).

⁸The 2017 budget resolution is also instructive because that resolution was publicly referred to as a “shell,” so its dollar figures incorporated no assumed changes in policy, merely reflecting levels virtually identical to those in CBO’s baseline. (It was designed purely as a vehicle to allow Congress to use the reconciliation process—and thereby avoid the Senate filibuster—to try to repeal the Affordable Care Act.) Yet even with no assumed deficit reduction, CBO’s 2018 calculation would have shown that the debt ratio would have exceeded the 10th-year level in the budget resolution for economic and technical reasons, triggering a reconciliation process to achieve \$1.0 trillion in deficit reduction.

⁹Congressional Budget Office, *An Evaluation of CBO’s Past Deficit and Debt Projections*, <https://www.cbo.gov/publication/55234>, September 11, 2019.

¹⁰There is no requirement under existing budget law or in the Enzi-Whitehouse proposal that the level of debt in a budget resolution be consistent with the level of deficits in the resolution.

conomic stimulus (tax cuts and/or spending increases) policymakers should enact to strengthen a weakening economy, or at least the degree to which austerity would harm a weakening economy.

- If the committee does decide to require deficit reduction in the full amount that CBO estimates at a time when the economy is weak, it might include year-by-year deficit reduction targets rather than just a single total over the entire multi-year period. And if so, it should call for all the deficit reduction to occur at the tail end of the period, when the economy might have fully recovered.

As a result, this aspect of Enzi-Whitehouse represents unsound economic policy. Indeed, policymakers ought to amend the budget process to *increase* Congress' tools to make appropriate fiscal policy when the economy weakens, rather than establishing automatic processes that can push Congress to make ill-advised policy—and Congress to have to circumvent those processes to make sound fiscal policy when the economy falters.

NEW PROCESS CONCENTRATES POWER AND IS LESS TRANSPARENT

This new automatic deficit-reduction process would also give the Senate Budget Committee sweeping new powers.¹¹ When triggered, this auto-reconciliation process would let the committee *unilaterally decide how much deficit reduction to mandate and which Senate committees would be required to cut programs* (or, in the case of the Finance Committee, raise revenues). Further, if any Senate committee fell short of its target, the Budget Committee would have the authority to increase that committee's cuts or draft new ones to meet the target, and those proposals would be included in the auto-reconciliation bill that goes to the full Senate.

The auto-reconciliation process would continue to a final vote on the reconciliation bill, giving the Senate as a whole no chance to first vote on whether it wanted to proceed; no chance to amend the size of the auto-reconciliation package; and no chance to amend the distribution of cuts among the other Senate committees. And when the auto-reconciliation bill reached the floor, reducing the budget cuts would violate the new rules.

Thus, every aspect of the process—from the size of the cuts to their allocation by committee to the drafting of the cuts themselves—would be driven by Senate Budget Committee decisions rather than by the whole Senate. In contrast, under current reconciliation procedures, reconciliation directives are included in the budget resolution that Congress must debate and approve before lawmakers take further action.

Further, with such unprecedented authority for the Senate Budget Committee under the new reconciliation process, transparency around budget decision-making will likely shrink. That's because the public will receive less information due to the media's more limited coverage of committee action than of Senate floor deliberations. Thus, the public, which already struggles to understand the congressional budget process, will likely receive less information about how Congress is making key budget decisions.

CONCLUSION

The question of what's sound budget policy should not be driven by a presumption that austerity is always the right answer, nor by a mechanical calculation that could trigger austerity at the wrong time in an economic cycle. Finally, budget policy-making should be transparent and inclusive and should not be driven by uncertain projections of a moving target that may not indicate whether Congress is actually adhering to the budget policies it has set for itself.

APPENDIX

In this analysis we discuss reasons why CBO might subsequently project that the debt ratio for the final year covered by a budget resolution that Congress approved the previous year might be higher than the resolution had assumed, triggering the automatic reconciliation process. There is an additional reason: in measuring the debt ratio, the Enzi-Whitehouse proposal relies on the federal government's standard measure of its debt, which doesn't fully account for the government's financial position and could actually trigger the automatic reconciliation process even when *no* deterioration in the government's position has occurred, and in some cases, even if deficits now are expected to be lower than the budget resolution assumed.

Here's why:

¹¹The Enzi-Whitehouse bill would make the chair and ranking member of the Senate Appropriations Committee and the Senate Finance Committee *ex officio*, non-voting members of the Budget Committee.

The proposed automatic reconciliation process focuses on the estimates of “debt held by the public”—the debt from government borrowing in the credit markets—that are shown in the final year of a budget resolution (e.g., the tenth year of a ten-year resolution). Debt rises whenever the federal government runs a deficit, so a budget resolution with a decade of deficits will increase the debt by the sum of those ten deficits. But the federal government also has financial assets, such as cash, gold, and direct loan assets, that somewhat offset the debt.

Suppose, for example, that the Treasury Department borrows more money solely to buildup its cash reserves that have fallen dangerously low, threatening its ability to pay federal bills on time. In that case:

- the federal government’s financial position would be unchanged; the debt would be higher, but the increase in debt would be offset dollar for dollar by an increase in cash; and
- the additional borrowing would *not* show up on the federal books either as an increase in spending or an increase in deficits.

So sometimes an increase in debt doesn’t reflect any deterioration in the government’s financial position. That is, the growth of debt over some period of time is often *not* simply the sum of deficits over that period. Debt can grow significantly more or less than the sum of deficits. In 2015, in fact, the deficit was \$442 billion but the debt rose by only \$337 billion. In 2016, by contrast, the deficit was \$585 billion but the debt rose by \$1.1 trillion.

As CBO has written, “Other factors—collectively labeled ‘other means of financing’ and not directly included in the budget totals—also affect the government’s debt. Those factors include the cash-flows associated with federal credit programs, such as student loans, as well as changes in the government’s cash balances.”

Now, let’s look more closely at student loans, which highlight the potentially large policy implications of the automatic reconciliation process. Over the ten years from 2008 through 2017, federal deficits totaled \$8.4 trillion. Over the same period, however, debt held by the public grew by \$9.6 trillion. The overwhelming reason for the \$1.2 trillion difference was the government’s 2010 conversion of the federal student loan program from loan guarantees to direct loans. Under the loan guarantee program, the financing took place *off* the government’s books, with banks lending money to students, the students paying back the banks over time, and the government responsible for defaults. Under the direct loan program, the financing takes place *on* the government’s books: the Treasury borrows from the credit markets and lends the money to students. The government’s costs over time are *essentially the same either way*, arising from defaults—but *with direct loans, the government’s books show higher debt because the government borrowed from the credit markets to finance direct loans, and the books also show corresponding larger financial assets*, which are the value of those direct loans to the government.

The Enzi-Whitehouse automatic reconciliation trigger accounts for only half of such transactions (the government’s additional borrowing), while missing the other half (the government’s acquisition of direct loan assets, when students repay the government). Such accounting would have missed more than \$1 trillion in student loan assets that the government acquired.¹² Indeed, when CBO estimated the budgetary effects of the 2010 conversion from guaranteed to direct loans, it concluded that the legislation would *reduce spending and deficits in every year even though it would increase debt held by the public*.

This aspect of Enzi-Whitehouse could prompt Congress to favor loan guarantees over direct loans, even when the former produce modestly higher deficits over time by requiring extra government payments to banks to induce banks to participate in the program.

[NOTE: This report is available online at: <https://www.cbpp.org/research/federal-budget/automatic-reconciliation-an-undesirable-part-of-enzi-whitehouse-budget>]

¹²The government values direct loan assets by accounting for not just the principal amount of the direct loan, but also the extent to which the interest rates it charges are above or below Treasury interest rates, the extent to which the portfolio of loans is likely to suffer from defaults (since some defaults are inevitable), and the extent to which defaults can be partially offset by, for example, garnishing later tax refunds.

X. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the changes in existing law made by S. 2765, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 31—MONEY AND FINANCE

SUBTITLE II—THE BUDGET PROCESS

CHAPTER 11—THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

* * * * *

§ 1101. Definitions

In this chapter—

(1) “agency” includes the District of Columbia government but does not include the legislative branch or the Supreme Court.

(2) “appropriations” means appropriated amounts and includes, in appropriate context—

(A) funds;

(B) authority to make obligations by contract before appropriations; and

(C) other authority making amounts available for obligation or expenditure.

(3) “*biennium*” has the meaning given that term in paragraph (12) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622).

* * * * *

§ 1104. Budget and appropriations authority of the President

(a) The President shall prepare budgets of the United States Government under section 1105 of this title and proposed deficiency and supplemental appropriations under section 1107 of this title. To the extent practicable, the President shall use uniform terms in stating the purposes and conditions of appropriations.

(b) Except as provided in this chapter, the President shall prescribe the contents and order of statements in the budget on expenditures and estimated expenditures and statements on proposed appropriations and information submitted with the budget and proposed appropriations. The President shall include with the budget and proposed appropriations information on personnel and other objects of expenditure in the way that information was included in the budget for fiscal year 1950. However, the requirement that in-

formation be included in the budget in that way may be waived or changed by joint action of the Committees on Appropriations of both Houses of Congress. This subsection does not limit the authority of a committee of Congress to request information in a form it prescribes.

(c) When the President makes a basic change in the form of the budget, the President shall submit with the budget information showing where items in the budget for the prior fiscal year are contained in the present budget. However, the President may change the functional categories in the budget only in consultation with **the Committees on Appropriations of both Houses of Congress** *the Committee on Appropriations and the Committee on the Budget of the House of Representatives and the Committee on Appropriations and the Committee on Fiscal Control and the Budget of the Senate.* Committees of the House of Representatives and Senate shall receive prompt notification of all such changes.

(d) The President shall develop programs and prescribe regulations to improve the compilation, analysis, publication, and dissemination of statistical information by executive agencies. The President shall carry out this subsection through the Administrator for the Office of Information and Regulatory Affairs in the Office of Management and Budget.

(e) Under regulations prescribed by the President, each agency shall provide information required by the President in carrying out this chapter. The President has access to, and may inspect, records of an agency to obtain information.

* * * * *

§ 1105. Budget contents and submission to the Congress

[(a) On or after the first Monday in January but not later than the first Monday in February of each year, the President shall submit a budget of the United States Government for the following fiscal year. Each budget shall include a budget message and summary and supporting information. The President shall include in each budget the following:]

(a) On or before the first Monday in February of each odd-numbered year (or, if applicable under section 300(b) of the Congressional Budget Act of 1974 (2 U.S.C. 631 (b)), the first Monday in April of an odd-numbered year), the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget of the United States Government transmitted under this subsection shall include a budget message and summary and supporting information. The President shall include in each budget the following:

- (1) information on activities and functions of the Government.
- (2) when practicable, information on costs and achievements of Government programs.
- (3) other desirable classifications of information.
- (4) a reconciliation of the summary information on expenditures with proposed appropriations.
- (5) except as provided in subsection (b) of this section, estimated expenditures and proposed appropriations the President

decides are necessary to support the Government in **[the fiscal year for which the budget is submitted and the 4 fiscal years after that year]** *each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 fiscal years.*

(6) estimated receipts of the Government in **[the fiscal year for which the budget is submitted and the 4 fiscal years after that year]** *each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years* under—

(A) laws in effect when the budget is submitted; and

(B) proposals in the budget to increase revenues.

(7) appropriations, expenditures, and receipts of the Government in the prior fiscal year.

(8) estimated expenditures and receipts, and appropriations and proposed appropriations, of the Government for the current fiscal year.

(9) balanced statements of the—

(A) condition of the Treasury at the end of the prior fiscal year;

(B) estimated condition of the Treasury at the end of the current fiscal year; and

(C) estimated condition of the Treasury at the end of **[the fiscal year]** *each fiscal year in the biennium* for which the budget is submitted if financial proposals in the budget are adopted.

(10) essential information about the debt of the Government.

(11) other financial information the President decides is desirable to explain in practicable detail the financial condition of the Government.

(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing—

(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in **[the fiscal year]** *each fiscal year in the biennium* for which the budget is submitted; and

(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after **[that year]** *that biennium* that the proposal will be in effect.

(13) an allowance for additional estimated expenditures and proposed appropriations for **[the fiscal year]** *each fiscal year in the biennium* for which the budget is submitted.

(14) an allowance for unanticipated uncontrollable expenditures for **[that year]** *each fiscal year in the biennium for which the budget is submitted.*

(15) a separate statement on each of the items referred to in section 301(a)(1)–(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(1)–(5)).

(16) the level of tax expenditures under existing law in the tax expenditures budget (as defined in section 3(a)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 622(a)(3)) for **[the fiscal year]** *each fiscal year in the biennium* for which the budget is submitted, considering projected economic factors and changes in the existing levels based on proposals in the budget.

(17) information on estimates of appropriations for **the fiscal year following the fiscal year** *each fiscal year in the biennium following the biennium* for which the budget is submitted for grants, contracts, and other payments under each program for which there is an authorization of appropriations for **that following fiscal year** *each such fiscal year* when the appropriations are authorized to be included in an appropriation law for the **fiscal year before the fiscal year** *biennium before the biennium* in which the appropriation is to be available for obligation.

(18) a comparison of the total amount of budget outlays for **the prior fiscal year** *each of the 2 most recently completed fiscal years*, estimated in the budget submitted **for that year** *with respect to those fiscal years*, for each major program having relatively uncontrollable outlays with the total amount of outlays for that program **in that year** *in those fiscal years*.

(19) a comparison of the total amount of receipts for **the prior fiscal year** *each of the 2 most recently completed fiscal years*, estimated in the budget submitted **for that year** *with respect to those fiscal years*, with receipts received **in that year** *in those fiscal years*, and for each major source of receipts, a comparison of the amount of receipts estimated in that budget with the amount of receipts from that source in that year.

(20) an analysis and explanation of the differences between each amount compared under clauses (18) and (19) of this subsection.

(21) a horizontal budget showing—

(A) the programs for meteorology and of the National Climate Program established under section 5 of the National Climate Program Act (15 U.S.C. 2904);

(B) specific aspects of the program of, and appropriations for, each agency; and

(C) estimated goals and financial requirements.

(22) a statement of budget authority, proposed budget authority, budget outlays, and proposed budget outlays, and descriptive information in terms of—

(A) a detailed structure of national needs that refers to the missions and programs of agencies (as defined in section 101 of this title); and

(B) the missions and basic programs.

(23) separate appropriation accounts for appropriations under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) and the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.).

(24) recommendations on the return of Government capital to the Treasury by a mixed-ownership corporation (as defined in section 9101(2) of this title) that the President decides are desirable.

(25) a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 11(2) of the Inspector General Act of 1978.

(26) a separate statement of the amount of appropriations requested for the Office of National Drug Control Policy and each program of the National Drug Control Program.

(27) a separate statement of the amount of appropriations requested for the Office of Federal Financial Management.

(28) beginning with fiscal year 1999, a Federal Government performance plan for the overall budget as provided for under section 1115.

(29) information about the Violent Crime Reduction Trust Fund, including a separate statement of amounts in that Trust Fund.

(30) an analysis displaying, by agency, proposed reductions in full-time equivalent positions compared to the current year's level in order to comply with section 5 of the Federal Workforce Restructuring Act of 1994.

(31) a separate statement of the amount of appropriations requested for the Chief Financial Officer in the Executive Office of the President.

(32) 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.

(33) a separate appropriation account for appropriations for the Council of the Inspectors General on Integrity and Efficiency, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Council of the Inspectors General on Integrity and Efficiency.

(34) with respect to the amount of appropriations requested for use by the Export-Import Bank of the United States, a separate statement of the amount requested for its program budget, the amount requested for its administrative expenses, and of the amount requested for its administrative expenses, the amount requested for technology expenses.

(35)(A)(i) a detailed, separate analysis, by budget function, by agency, and by initiative area (as determined by the administration) for the prior fiscal year, the current fiscal year, [the fiscal years for which the budget is submitted] *each fiscal year in the biennium for which the budget is submitted*, and the ensuing fiscal year identifying the amounts of gross and net appropriations or obligational authority and outlays that contribute to cybersecurity, with separate displays for mandatory and discretionary amounts, including—

(I) summaries of the total amount of such appropriations or new obligational authority and outlays requested for cybersecurity;

(II) an estimate of the current service levels of cybersecurity spending;

(III) the most recent risk assessment and summary of cybersecurity needs in each initiative area (as determined by the administration); and

(IV) an estimate of user fees collected by the Federal Government on behalf of cybersecurity activities;

(ii) with respect to subclauses (I) through (IV) of clause (i), amounts shall be provided by account for each program, project and activity; and

(iii) an estimate of expenditures for cybersecurity activities by State and local governments and the private sector for the prior fiscal year and the current fiscal year.

(B) Prior to implementing this paragraph, including determining what Federal activities or accounts constitute cybersecurity for purposes of budgetary classification, the Office of Management and Budget shall consult with **the Committees on Appropriations and the Committees on the Budget of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.** *the Committee on Appropriations, the Committee on the Budget, and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations, the Committee on Fiscal Control and the Budget, and the Committee on Homeland Security and Governmental Affairs of the Senate.*

(36) as supplementary materials, a separate analysis of the budgetary effects for all prior fiscal years, the current fiscal year, **the fiscal year for which the budget is submitted** *each fiscal year in the biennium for which the budget is submitted*, and ensuing fiscal years of the actions the Secretary of the Treasury has taken or plans to take using any authority provided in the Emergency Economic Stabilization Act of 2008, including—

(A) an estimate of the current value of all assets purchased, sold, and guaranteed under the authority provided in the Emergency Economic Stabilization Act of 2008 using methodology required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and section 123 of the Emergency Economic Stabilization Act of 2008;

(B) an estimate of the deficit, the debt held by the public, and the gross Federal debt using methodology required by the Federal Credit Reform Act of 1990 and section 123 of the Emergency Economic Stabilization Act of 2008;

(C) an estimate of the current value of all assets purchased, sold, and guaranteed under the authority provided in the Emergency Economic Stabilization Act of 2008 calculated on a cash basis;

(D) a revised estimate of the deficit, the debt held by the public, and the gross Federal debt, substituting the cash-based estimates in subparagraph (C) for the estimates calculated under subparagraph (A) pursuant to the Federal Credit Reform Act of 1990 and section 123 of the Emergency Economic Stabilization Act of 2008; and

(E) the portion of the deficit which can be attributed to any action taken by the Secretary using authority provided by the Emergency Economic Stabilization Act of 2008 and the extent to which the change in the deficit since the most recent estimate is due to a reestimate using the methodology required by the Federal Credit Reform Act of

1990 and section 123 of the Emergency Economic Stabilization Act of 2008.

(37) information on estimates of appropriations for the fiscal year following **the fiscal year for which the budget is submitted** *each fiscal year in the biennium for which the budget is submitted* for the following accounts of the Department of Veterans Affairs:

(A) Veterans Benefits Administration, Compensation and Pensions.

(B) Veterans Benefits Administration, Readjustment Benefits.

(C) Veterans Benefits Administration, Veterans Insurance and Indemnities.

(D) Veterans Health Administration, Medical Services.

(E) Veterans Health Administration, Medical Support and Compliance.

(F) Veterans Health Administration, Medical Facilities.

(G) Veterans Health Administration, Medical Community Care.

(38) a separate statement for the Crow Settlement Fund established under section 411 of the Crow Tribe Water Rights Settlement Act of 2010, which shall include the estimated amount of deposits into the Fund, obligations, and outlays from the Fund.

(39) the list of plans and reports, as provided for under section 1125, that agencies identified for elimination or consolidation because the plans and reports are determined outdated or duplicative of other required plans and reports.

(40) *a separate volume for proposals relating to each portfolio for the relevant fiscal year described in paragraph (7)(B) of section 202(e) of the Congressional Budget Act of 1974 (2 U.S.C. 602(e)), which shall include justifications for any change to a Government activity or function.*

(b) Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget under subsection (a)(5) of this section shall be submitted to the President before October 16 of each year and included in the budget by the President without change.

(c) The President shall recommend in the budget appropriate action to meet an estimated deficiency when the estimated receipts for **the fiscal year for** *each fiscal year in the biennium for which the budget is submitted* (under laws in effect when the budget is submitted) and the estimated amounts in the Treasury at the end of the current fiscal year available for expenditure in **the fiscal year for** *each fiscal year of the biennium, as the case may be, for which the budget is submitted*, are less than the estimated expenditures **for that year** *for each fiscal year of the biennium*. The President shall make recommendations required by the public interest when the estimated receipts and estimated amounts in the Treasury are more than the estimated expenditures.

(d) When the President submits a budget or supporting information about a budget, the President shall include a statement on all changes about the current fiscal year that were made before the budget or information was submitted.

(e)(1) The President shall submit with materials related to each budget transmitted under subsection (a) on or after January 1, 1985, an analysis for the [ensuing fiscal year] *biennium to which such budget relates* that shall identify requested appropriations or new obligational authority and outlays for each major program that may be classified as a public civilian capital investment program and for each major program that may be classified as a military capital investment program, and shall contain summaries of the total amount of such appropriations or new obligational authority and outlays for public civilian capital investment programs and summaries of the total amount of such appropriations or new obligational authority and outlays for military capital investment programs. In addition, the analysis under this paragraph shall contain— * * *

* * * * *

§ 1106. Supplemental budget estimates and changes

(a) Before July 16 of each year, the President shall submit to Congress a supplemental summary of the budget for the [fiscal year] *biennium* for which the budget is submitted under section 1105(a) of this title. The summary shall include—

(1) for [that fiscal year] *each fiscal year in such biennium*—

(A) substantial changes in or reappraisals of estimates of expenditures and receipts;

(B) substantial obligations imposed on the budget after its submission;

(C) current information on matters referred to in section 1105(a)(8) and (9)(B) and (C) of this title; and

(D) additional information the President decides is advisable to provide Congress with complete and current information about the budget and current estimates of the functions, obligations, requirements, and financial condition of the United States Government;

(2) for the 4 fiscal years following the [fiscal year] *biennium* for which the budget is submitted, information on estimated expenditures for programs authorized to continue in future years, or that are considered mandatory, under law; and

(3) for future fiscal years, information on estimated expenditures of balances carried over from the [fiscal year] *biennium* for which the budget is submitted.

(b) Before July 16 of each year, the President shall submit to Congress a statement of changes in budget authority requested, estimated budget outlays, and estimated receipts for [the fiscal year] *each fiscal year in the biennium* for which the budget is submitted (including prior changes proposed for the executive branch of the Government) that the President decides are necessary and appropriate based on current information. The statement shall include the effect of those changes on the information submitted under section 1105(a)(1)–(14) and (b) of this title and shall include supporting information as practicable. The statement submitted before July 16 may be included in the information submitted under subsection (a)(1) of this section.

(c) Subsection (f) of section 1105 shall apply to revisions and supplemental summaries submitted under this section to the same extent that such subsection applies to the budget submitted under section 1105(a) to which such revisions and summaries relate.

(d)(1) *On or before December 1 of each calendar year, the President shall submit to Congress an administrative budget for the fiscal year beginning in the ensuing calendar year, which shall include—*

(A) *up-to-date estimates for current year and prior year data; and*

(B) *credit reestimates for the current year (as included in the Federal credit supplement of such budget).*

(2) *Upon request of the Director of the Congressional Budget Office, agencies and other entities included within the budget shall immediately provide to the Congressional Budget Office all related backup tables and other supporting information, including underlying data, assumptions, and related information used in connection with creating the budget and estimates.*

* * * * *

§ 1109. Current programs and activities estimates

(a) **[On or before the first Monday after January 3 of each year (on or before February 5 in 1986)]** *At the same time as the budget required by section 1105 is submitted for a biennium, the President shall submit to both Houses of Congress the estimated budget outlays and proposed budget authority that would be included in the budget for [the following fiscal year] each fiscal year of such period if programs and activities of the United States Government were carried on during that year at the same level as the current fiscal year without a change in policy. The President shall state the estimated budget outlays and proposed budget authority by function and subfunction under the classifications in the budget summary table under the heading “Budget Authority and Outlays by Function and Agency”, by major programs in each function, and by agency. The President also shall include a statement of the economic and program assumptions on which those budget outlays and budget authority are based, including inflation, real economic growth, and unemployment rates, program caseloads, and pay increases.*

(b) The Joint Economic Committee shall review the estimated budget outlays and proposed budget authority and submit an economic evaluation of the budget outlays and budget authority to **[the Committees on the Budget of both Houses]** *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate* before March 1 of each year.

§ 1110. Year-ahead requests for authorizing legislation

A request to enact legislation authorizing new budget authority to continue a program or activity for a fiscal year shall be submitted to Congress before **[May 16]** *March 31* of the **[year before the year in which the fiscal year begins]** *calendar year preceding the calendar year in which the biennium begins.* If a new program

or activity will continue for more than one year, the request must be submitted for at least the first and 2d fiscal years.

* * * * *

§ 1112. Fiscal, budget, and program information

(a) In this section, “agency” means a department, agency, or instrumentality of the United States Government except a mixed-ownership Government corporation.

(b) In cooperation with the Comptroller General, the Secretary of the Treasury and the Director of the Office of Management and Budget shall establish and maintain standard data processing and information systems for fiscal, budget, and program information for use by agencies to meet the needs of the Government, and to the extent practicable, of State and local governments.

(c) The Comptroller General—

(1) in cooperation with the Secretary, the Director of the Office of Management and Budget, and the Director of the Congressional Budget Office, shall establish, maintain, and publish standard terms and classifications for fiscal, budget, and program information of the Government, including information on fiscal policy, receipts, expenditures, programs, projects, activities, and functions;

(2) when advisable, shall report to Congress on those terms and classifications, and recommend legislation necessary to promote the establishment, maintenance, and use of standard terms and classifications by the executive branch of the Government; and

(3) in carrying out this subsection, shall give particular consideration to the needs of the Committees on Appropriations [and on the Budget of both Houses of Congress] *of both Houses of Congress, the Committee on the Budget of the House of Representatives, the Committee on Fiscal Control and the Budget of the Senate, the Committee on Ways and Means of the House, the Committee on Finance of the Senate, and the Congressional Budget Office.*

* * * * *

§ 1120. Federal Government and agency priority goals

(a) FEDERAL GOVERNMENT PRIORITY GOALS.—

(1) The Director of the Office of Management and Budget shall coordinate with agencies to develop priority goals to improve the performance and management of the Federal Government. Such Federal Government priority goals shall include—

(A) outcome-oriented goals covering a limited number of crosscutting policy areas; and

(B) goals for management improvements needed across the Federal Government, including—

(i) financial management;

(ii) human capital management;

(iii) information technology management;

(iv) procurement and acquisition management; and

(v) real property management;

(2) The Federal Government priority goals shall be long-term in nature. At a minimum, the Federal Government priority goals shall be updated or revised every 4 years and made publicly available concurrently with the submission of the budget of the United States Government made in the first full fiscal year following any year in which the term of the President commences under section 101 of title 3. As needed, the Director of the Office of Management and Budget may make adjustments to the Federal Government priority goals to reflect significant changes in the environment in which the Federal Government is operating, with appropriate notification of Congress.

(3) When developing or making adjustments to Federal Government priority goals, the Director of the Office of Management and Budget shall consult periodically with the Congress, including obtaining majority and minority views from—

(A) the Committees on Appropriations of the Senate and the House of Representatives;

(B) ~~the Committees on the Budget of the Senate and the House of Representatives~~ *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate*;

(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 Finance of the Senate;

(F) the Committee on Ways and Means of the House of Representatives; and

(G) any other committees as determined appropriate;

(4) The Director of the Office of Management and Budget shall consult with the appropriate committees of Congress at least once every 2 years.

(5) The Director of the Office of Management and Budget shall make information about the Federal Government priority goals available on the website described under section 1122 of this title.

(6) The Federal Government performance plan required under section 1115(a) of this title shall be consistent with the Federal Government priority goals.

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SUBTITLE III—FINANCIAL MANAGEMENT

CHAPTER 35—ACCOUNTING AND COLLECTION

SUBCHAPTER III—AUDITING AND SETTLING ACCOUNTS

* * * * *

§ 3524. Auditing expenditures approved without vouchers

(a)(1) The Comptroller General may audit expenditures, accounted for only on the approval, authorization, or certificate of the President or an official of an executive agency, to decide if the expenditure was authorized by law and made. Records and related in-

formation shall be made available to the Comptroller General in conducting the audit.

(2) The Comptroller General may release the results of the audit or disclose related information only to the President or head of the agency, or, if there is an unresolved discrepancy, to the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives, and the committees of Congress having legislative or appropriation oversight of the expenditure.

(b) Before December 1 of each year, the Director of the Office of Management and Budget shall submit a report listing each account that may be subject to this section to ~~the Committees on the Budget and Appropriations of both Houses of Congress, the Committee on Governmental Affairs, and to the Committee on Government Operations, and to~~ *the Committee on Appropriations, the Committee on the Budget, and the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Appropriations, the Committee on Fiscal Control and the Budget, and the Committee on Homeland Security and Governmental Affairs of the Senate, and the Comptroller General.*

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SUBTITLE V—GENERAL ASSISTANCE ADMINISTRATION

CHAPTER 62—CONSOLIDATED FEDERAL FUNDS REPORT

* * * * *

§ 6203. Printing and distribution of reports and machine-readable records

(a)(1) The Director shall—

(A) prepare—

(i) printed copies of each of the reports required by this chapter; and

(ii) machine-readable records of such reports; and

(B) make the printed copies of the reports and the machine-readable records available to the public for purchase at a price fixed under subsection (b).

(2) The Director shall transmit free of charge one of each of the printed copies of the reports required by this chapter to—

(A) each Federal regional depository library;

(B) the Committees on Government Operations, the Budget, and Appropriations of the House of Representatives; and

(C) ~~the Committees on Governmental Affairs, the Budget, and Appropriations~~ *the Committee on Appropriations, the Committee on Fiscal Control and the Budget, and the Committee on Homeland Security and Governmental Affairs* of the Senate.

* * * * *

TITLE 38—VETERANS' BENEFITS

PART VI—ACQUISITION AND DISPOSITION OF PROPERTY

CHAPTER 81—ACQUISITION AND OPERATION OF HOSPITAL AND DOMICILIARY FACILITIES; PROCUREMENT AND SUPPLY; ENHANCED-USE LEASES OF REAL PROPERTY

SUBCHAPTER V—ENHANCED-USE LEASES OF REAL PROPERTY

* * * * *

§ 8163. Hearing and notice requirements regarding proposed leases

(a) If the Secretary proposes to enter into an enhanced-use lease with respect to certain property, the Secretary shall conduct a public hearing before entering into the lease. The hearing shall be conducted in the community in which the property is located. At the hearing, the Secretary shall receive the views of veterans service organizations and other interested parties regarding the proposed lease of the property and the possible effects of the uses to be made of the property under a lease of the general character then contemplated. The possible effects to be addressed at the hearing shall include effects on—

- (1) local commerce and other aspects of the local community;
- (2) programs administered by the Department; and
- (3) services to veterans in the community.

(b) Before conducting such a hearing, the Secretary shall provide reasonable notice to the congressional veterans' affairs committees and to the public of the proposed lease and of the hearing. The notice shall include the following:

- (1) The time and place of the hearing.
- (2) Identification of the property proposed to be leased.
- (3) A description of the proposed uses of the property under the lease.
- (4) A description of how the uses to be made of the property under a lease of the general character then contemplated—
 - (A) would—
 - (i) contribute in a cost-effective manner to the mission of the Department;
 - (ii) not be inconsistent with the mission of the Department;
 - (iii) not adversely affect the mission of the Department; and
 - (iv) affect services to veterans; or
 - (B) would result in a demonstrable improvement of services to eligible veterans in the geographic service-delivery area within which the property is located.
- (5) A description of how those uses would affect services to veterans.

(c)(1) If after a hearing under subsection (a) the Secretary intends to enter into an enhanced-use lease of the property involved, the Secretary shall notify the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate, [and the Committees on the Budget

of the House of Representatives and the Senate] *the Committee on the Budget of the House of Representatives, and the Committee on Fiscal Control and the Budget of the Senate* of the Secretary's intention to enter into such lease, shall publish a notice of such intention in the Federal Register, and shall submit to the congressional veterans' affairs committees a copy of the proposed lease. With respect to a major enhanced-use lease, upon the request of the congressional veterans' affairs committees, not later than 30 days after the date of such notice, the Secretary shall testify before the committees on the major enhanced-use lease, including with respect to the status of the lease, the cost, and the plans to carry out the activities under the lease. The Secretary may not delegate such testifying below the level of the head of the Office of Asset Enterprise Management of the Department or any successor to such office.

* * * * *

§ 8168. Annual reports

(a) REPORT ON ADMINISTRATION OF LEASES.—(1) Not later than 120 days after the date of the enactment of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 and not less frequently than once each year thereafter, the Secretary shall submit to the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate, [and the Committees on the Budget of the House of Representatives and the Senate] *the Committee on the Budget of the House of Representatives, and the Committee on Fiscal Control and the Budget of the Senate* a report on enhanced-use leases.

(2) Each report under paragraph (1) shall include the following:

(A) Identification of the actions taken by the Secretary to implement and administer enhanced-use leases.

(B) For the most recent fiscal year covered by the report, the amounts deposited into the Medical Care Collection Fund account that were derived from enhanced-use leases.

(C) Identification of the actions taken by the Secretary using the amounts described in subparagraph (B).

(D) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (C).

(b) REPORT ON LEASE CONSIDERATION.—(1) Each year, as part of the annual budget submission of the President to the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate, [and the Committees on the Budget of the House of Representatives and the Senate] *the Committee on the Budget of the House of Representatives, and the Committee on Fiscal Control and the Budget of the Senate* under section 1105(a) of title 31, the Secretary shall submit to the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate [and the Committees on the Budget of the House of Representatives and the Senate] *the Committee on the Budget of the House of Representatives, and the Committee on Fiscal Control and the Budget of the Senate* a detailed report of the consideration received by the Secretary for each enhanced-use lease under this subchapter.

(2) Each report under paragraph (1) shall include the following with respect to each enhanced-use lease covered by the report:

(A) An overview of how the Secretary is using consideration received by the Secretary under the lease to support veterans.

(B) The amount of consideration received by the Secretary under the lease.

(C) The amount of any revenues collected by the Secretary relating to the lease not covered by subparagraph (B), including a description of any in-kind assistance or services provided by the lessee to the Secretary or to veterans under an agreement entered into by the Secretary pursuant to any provision of law.

(D) The costs to the Secretary of carrying out the lease.

(E) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (D).

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BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

[Pub. L. 99-177, as amended; 2 U.S.C. 900 et seq.]

SEC. 250. TABLE OF CONTENTS; BUDGET ENFORCEMENT STATEMENT; DEFINITIONS.

(a) * * *

(c) DEFINITIONS.— * * *

(4)(A) * * *

(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] *the Committee on Appropriations and the Committee on the Budget of the House of Representatives and the Committee on Appropriations and the Committee on Fiscal Control and the Budget of 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) * * *

(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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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 both the CBO and OMB estimates of the amount of discretionary new budget authority 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 [the Committees on the Budget of the House of Representatives and the Senate] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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] *the Committee on Appropriations and the Committee on the Budget of the House*

of Representatives and the Committee on Appropriations and the Committee on Fiscal Control and the Budget of 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 adjustments 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—

* * * * *

(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 over the previous 10 years (excluding the highest and lowest years) of the sum of the funding provided for disaster relief (as that term is defined on the date immediately before the date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act);

(II) notwithstanding clause (iv), starting in fiscal year 2018, five percent of the total appropriations provided after fiscal year 2011 or in the previous 10 years, whichever is less, net of any rescissions of budget authority enacted in the same period, with respect to amounts provided for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and designated by the Congress and the President as an emergency pursuant to subparagraph (A)(i) of this paragraph; and

(III) the cumulative net total of the unused carryover for fiscal year 2018 and all subsequent fiscal years, where the unused carryover for each fiscal year is calculated as the sum of the amounts in subclauses (I) and (II) less the enacted appropriations for that fiscal year that have been designated as being for disaster relief.

(ii) OMB shall report to **the Committees on Appropriations and Budget in each House** *the Committee on Appropriations and the Committee on the Budget of*

the House of Representatives and the Committee on Appropriations and the Committee on Fiscal Control and the Budget of the Senate the average calculated pursuant to clause (i)(II), not later than 30 days after the date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act.

* * * * *

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

(a) * * *

(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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate*, shall—

(A) determine common scorekeeping guidelines; and

(B) in conformance with such guidelines, prepare estimates under this section.

* * * * *

SEC. 254. REPORTS AND ORDERS.

(a) * * *

(h) GAO COMPLIANCE REPORT.—Upon request of the Committee on the Budget of the House of Representatives [or the Senate] or the Committee on Fiscal Control and the Budget of 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.

* * * * *

SEC. 257. 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] *the Committee on the Budget of the House of Representatives, the Committee on Fiscal Control and the Budget of the Senate* or OMB, as applicable. OMB, CBO, [and the Budget Committees] *the Committee on the Budget of the House of Representatives, and the Committee on Fiscal Control and the Budget of the Senate* 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 veterans' 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):] *EXCLUSION OF EXEMPTED SPENDING.—For the budget year and each outyear, the baseline shall be calculated by assuming that appropriations receiving designations under section 251(b)(2)(A) or designations created through a concurrent resolution on the budget that exempts designated spending from enforcement under section 302 or section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633, 642) shall not continue.*

(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. 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. * * *

(3) COMMITTEE ACTION.—Each joint resolution introduced pursuant to paragraph (1) shall be referred to the appropriate committees of the House of Representatives or [the Committee on the Budget] *the Committee on Fiscal Control and 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.

* * * * *

SEC. 258B. FLEXIBILITY AMONG DEFENSE PROGRAMS, PROJECTS, AND ACTIVITIES.

(a) * * *

(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** *the Committee on Fiscal Control and the Budget* of the Senate.

* * * * *

SEC. 258C. 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** *the Committee on Fiscal Control and 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 [the Committee on the Budget] *the Committee on Fiscal Control and 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] *the Committee on Fiscal Control and the Budget of the Senate* 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] *ACTION BY THE COMMITTEE ON FISCAL CONTROL AND THE BUDGET*.—Upon receipt of the recommendations received in response to a resolution referred to in paragraph (2), [the Budget Committee] *the Committee on Fiscal Control and the Budget of the Senate* 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] *the Committee on Fiscal Control and the Budget of the Senate* 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.

* * * * *

CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974

[Pub. L. 93-344, as amended through Pub. L. 115-123; 2 U.S.C. 621 et seq.]

SECTION 1. (a) SHORT TITLE.—* * *

TITLE II—CONGRESSIONAL BUDGET OFFICE

[2 U.S.C. 601]

ESTABLISHMENT OF OFFICE

SEC. 201. (a) IN GENERAL.— * * *

(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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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.

* * * * *

(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] *The Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate* shall determine all estimates with respect to scoring points of order.

DUTIES AND FUNCTIONS

SEC. 202. (a) ASSISTANCE TO [BUDGET COMMITTEES] *THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FISCAL CONTROL AND THE BUDGET OF THE SENATE*.—It shall be the primary duty and function of the Office to provide to [the Committees on the Budget of both Houses] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate* 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.

* * * * *

(d) ASSIGNMENT OF OFFICE PERSONNEL TO COMMITTEES AND JOINT COMMITTEES.—At the request of [the Committee on the Budget of either House] *the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate*, 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】** *THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FISCAL CONTROL AND THE BUDGET OF THE SENATE.*—

(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】** *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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 functional categories, taking into account how such alternative allocations will meet major national needs and affect balanced growth and development of the United States.

【(2) The Director shall from time to time submit to 【the Committees on the Budget of the House of Representatives and the Senate】 *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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.】

(2) The Director shall from time to time, as may be necessary or appropriate to provide the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate with information, data, and analyses for the performance of their duties and functions, submit to such committees further reports, including reports—

(A) revising the report required under paragraph (1);

(B) analyzing the accuracy of the projections of the Office of economic factors, total outlays, revenues, surpluses or deficits, and debt;

(C) analyzing the accuracy of estimates, comparisons, or descriptions, or components thereof, that the Office prepared for legislation that has been enacted; and

(D) updating economic projections, including projections of the ratio of the debt held by the public to the gross domestic product of the United States.

* * * * *

(4) On or before December 20 of each year, the Director shall submit to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate a report on—

(A) planned and recent transparency efforts, including proposals on making supporting documents covering methods and assumptions used in analyses and cost estimates publicly available; and

(B) the feasibility of placing interactive models online and releasing source code for computer programs used in its analysis.

(5) On or before January 15 of each year, the Director shall submit to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate 1 or more reports analyzing the accuracy of the projections of the Office of total outlays and revenues for the previous fiscal year.

(6)(A) The Director shall, to the extent practicable, make public supplemental information for estimates provided by the Office—

(i) in the case of major legislation described in subparagraph (B)(i)(I), not later than 1 year after the date of enactment of that legislation; and

(ii) in the case of major legislation described in subparagraph (B)(i)(II), at a date prescribed by the chairman of the Committee on Fiscal Control and the Budget of the Senate or the Committee on the Budget of the House of Representatives.

(B) In this paragraph:

(i) The term “major legislation” means a bill, joint resolution, conference report, amendment, amendment between the Houses, or treaty considered in the Senate for which an estimate was prepared pursuant to section 402(a)—

(I) that—

(aa) was enacted; and

(bb) causes a gross budgetary effect (before incorporating macroeconomic effects and not including timing shifts) in a fiscal year in the period of years of the most recently agreed to concurrent resolution on the budget equal to or greater than—

(AA) 0.25 percent of the current projected gross domestic product of the United States for that fiscal year; or

(BB) for a treaty, equal to or greater than \$15,000,000,000 for that fiscal year; or

(II) designated as such by the Chairman of the Committee on Fiscal Control and the Budget of the Senate or the Chairman of the Committee on the Budget of the House of Representatives.

(ii) The term “supplemental information”—

(I) means the principal information used in estimating the costs and other fiscal or economic effects of major legislation; and

(II) includes key fiscal or policy models, assumptions, data preparation routines, and other similar information.

(7)(A) After November 15 of each year, the Director shall submit to the Committee on Fiscal Control and the Budget of the Senate and the Committee on the Budget of the House of Representatives a report that includes—

(i) a list of all accounts in each functional category in the portfolio for the respective fiscal year described in subparagraph (B), as well as a list of tax expenditures relevant to each category;

(ii) levels of budget authority for the previous 5 fiscal years for each account in each functional category, sorted by discretionary and mandatory amounts;

(iii) a list of major trust funds in each portfolio and an accounting of the most recently available projection of spending and nongovernmental receipts dedicated to each trust fund;

(iv) the projected date of exhaustion under current law for any entitlement authority derived from a trust fund;

(v) options to reduce the deficit focused on the major functional categories in the portfolio, including options involving tax expenditures and other revenue; and

(vi) an analysis of various alternative scenarios affecting major accounts in each such portfolio, including relevant tax expenditures, and the potential budgetary and economic ramifications.

(B) The portfolio described in this subparagraph shall include the following major functional categories:

(i) For fiscal year 2022, and every fifth fiscal year thereafter—

(I) National Defense (050);

(II) International Affairs (150);

(III) Veterans Benefits and Services (700); and

(IV) Administration of Justice (750).

(ii) For fiscal year 2023, and every fifth fiscal year thereafter—

(I) Health (550); and

(II) Medicare (570).

(iii) For fiscal year 2024, and every fifth fiscal year thereafter—

(I) General Science, Space, and Technology (250);

(II) Transportation (400);

(III) Community and Regional Development (450);

and

(IV) Education, Training, Employment, and Social Services (500).

(iv) For fiscal year 2025, and every fifth fiscal year thereafter—

(I) Energy (270);

(II) Natural Resources and Environment (300);

- (III) Agriculture (350); and
- (IV) General Government (800).
- (v) For fiscal year 2026, and every fifth fiscal year thereafter—
 - (I) Commerce and Housing Credit (370);
 - (II) Income Security (600); and
 - (III) Social Security (650).

* * * * *

(h) REPORT ON DEBT-TO-GDP TARGET.—

(1) IN GENERAL—Not later than February 15 of each even-numbered year, the Director shall make publicly available a report estimating whether the target for the ratio of the debt held by the public to the gross domestic product of the United States by the end of the last fiscal year covered by the most recently agreed to concurrent resolution on the budget will be achieved.

(2) DISCRETIONARY APPROPRIATIONS.—In producing each estimate described in paragraph (1), the Director shall assume discretionary appropriations are made available in the amounts specified under the most recently agreed to concurrent resolution on the budget.

(3) DEFICIT REDUCTION.—For each report made available under paragraph (1), the Director—

(A) shall include an estimate of the level of deficit reduction required to achieve the target for the ratio of the debt held by the public to the gross domestic product of the United States by the end of the last fiscal year covered by the most recently agreed to concurrent resolution on the budget; and

(B) in estimating the level of deficit reduction required, shall account for interest effects by reducing the target by the percentage equal to percent of deficit reduction stemming from interest changes assumed in the most recently agreed to concurrent resolution on the budget.

* * * * *

TITLE III—CONGRESSIONAL BUDGET PROCESS

[2 U.S.C. 631]

SEC. 300. 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.】

SEC. 300. TIMETABLE.

(a) *IN GENERAL.*—*Except as provided in subsection (b), the timetable with respect to the congressional budget process for any Congress is as follows:*

First Session

<i>On or before:</i>	<i>Action to be completed:</i>
<i>First Monday in February</i>	<i>President submits budget recommendations.</i>
<i>February 15</i>	<i>Congressional Budget Office submits report to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate.</i>
<i>March 1</i>	<i>Committees submit views and estimates to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate.</i>
<i>April 1</i>	<i>Committee on Fiscal Control and the Budget of the Senate reports concurrent resolution on the biennial budget.</i>
<i>May 15</i>	<i>Congress completes action on concurrent resolution on the biennial budget.</i>
<i>May 15</i>	<i>Appropriation bills may be considered in the House of Representatives.</i>
<i>June 10</i>	<i>Committee on Appropriations of the House of Representatives reports last appropriation bill.</i>
<i>June 30</i>	<i>House of Representatives completes action on appropriation bills.</i>
<i>October 1</i>	<i>First fiscal year of biennium begins.</i>
<i>December 1</i>	<i>President submits an administrative budget.</i>

Second Session

<i>On or before:</i>	<i>Action to be completed:</i>
<i>February 15</i>	<i>Congressional Budget Office submits report to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate.</i>
<i>February 15</i>	<i>Congressional Budget Office releases report on achieving debt-to-GDP ratio.</i>
<i>March 15</i>	<i>President submits budget update for the second fiscal year of the biennium.</i>
<i>April 15</i>	<i>Committee on Fiscal Control and the Budget of the Senate reports a special reconciliation resolution.</i>
<i>May 15</i>	<i>Committees submit recommendations for special reconciliation bill.</i>
<i>May 15</i>	<i>Appropriation bills may be considered in the House of Representatives.</i>
<i>June 10</i>	<i>Committee on Appropriations of the House of Representatives reports last appropriation bill.</i>

Second Session—Continued

<i>June 30</i>	<i>House of Representatives completes action on appropriation bills.</i>
<i>July 30</i>	<i>Congress completes action on special reconciliation bill.</i>
<i>October 1</i>	<i>Second fiscal year of biennium begins</i>
<i>December 1</i>	<i>President submits an administrative budget.</i>

(b) SPECIAL RULE FOR CERTAIN FIRST SESSIONS.—In the case of any first session of Congress that begins in any year immediately following a leap year and during which the term of a President (except a President who succeeds himself or herself) begins, the following dates shall supersede those set forth in subsection (a):

First Session

<i>On or before:</i>	<i>Action to be completed:</i>
<i>First Monday in April</i>	<i>President submits budget recommendations.</i>
<i>April 15</i>	<i>Congressional Budget Office submits report to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate.</i>
<i>May 1</i>	<i>Committees submit views and estimates to the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate.</i>
<i>June 1</i>	<i>Committee on Fiscal Control and the Budget of the Senate reports concurrent resolution on the biennial budget.</i>
<i>June 15</i>	<i>Congress completes action on concurrent resolution on the biennial budget.</i>
<i>June 15</i>	<i>Appropriation bills may be considered in the House of Representatives.</i>
<i>June 30</i>	<i>Committee on Appropriations of the House of Representatives reports last appropriation bill.</i>
<i>July 15</i>	<i>House of Representatives completes action on appropriation bills.</i>
<i>October 1</i>	<i>First fiscal year of biennium begins.</i>
<i>December 1</i>	<i>President submits an administrative budget.</i>

【ANNUAL】 BIENNIAL 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 beginning on October 1 of such year and for at least each of the 4 ensuing fiscal years for the following—**】**

(a) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—On or before May 15 of each odd-numbered year (or, if applicable under section 300(b), June 15 of an odd-numbered year), Congress shall complete action on a concurrent resolution on the budget for the biennium beginning on October 1 of such year. The concurrent resolution shall—

(1) for an concurrent resolution on the budget, set forth appropriate levels for each fiscal year in such biennium and for

at least each fiscal year of each of the ensuing 2 bienniums for the following—

- (1)A) totals of new budget authority and outlays;
 - (2)B) 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)C) the surplus or deficit in the budget;
 - (4)D) for direct spending (as defined in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900)), new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to [paragraph (1)] subparagraph A;
 - (5)E) [the public debt] the debt held by the public and debt subject to limit under section 3101 of title 31, United States Code;
 - (6)F) 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] for each fiscal year in the biennium of the resolution and for each of the 4 succeeding fiscal years; [and]
 - (7)G) 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] for each fiscal year in the biennium of the resolution and for each of the 4 succeeding fiscal years[.];
 - (H) the allocated amount of discretionary appropriations; and
 - (I) the unallocated amount of discretionary appropriations;
- (2) for any concurrent resolution on the budget, include, in accordance with section 316, a clear statement of the appropriate level for the debt subject to limit under section 3101 of title 31, United States Code, as of the end of the second fiscal year of the biennium of the concurrent resolution on the budget;
- (3) for a bipartisan budget resolution, include—
- (A) in accordance with section 316, a clear statement of the appropriate level for the discretionary spending limit for each fiscal year of the biennium of the concurrent resolution on the budget;
 - (B) the amount of health care spending by the Government;
 - (C) the amount of tax expenditures;
 - (D) the amount of discretionary appropriations (as defined in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900)); and
 - (E) the amount of revenues.
- (4) for any concurrent resolution on the budget, specify the amount of the gross domestic product of the United States as—

sumed for purposes of each fiscal year covered by the concurrent resolution; and

(5) for any concurrent resolution on the budget, specify a target for the ratio of the debt held by the public to the gross domestic product of the United States (rounded to the nearest one-tenth of 1 percent) for each fiscal year covered by the concurrent resolution.

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]** *for either fiscal year in such biennium* 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;

(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 **[[.]]; and**

(10) include the amount of tax expenditures.

* * * * *

(d) **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,]** *(1) IN GENERAL.*—*Not later than*

March 1 of each odd-numbered year (or, if applicable under section 300(b), May 1 of an odd-numbered year), or at such time as may be requested by [the Committee on the Budget] *the Committee on the Budget of the House of Representatives, with respect to a committee of the House of Representatives, or the Committee on Fiscal Control and the Budget of the Senate, with respect to a committee of the Senate*, 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] *the Committee on Fiscal Control and 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] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate* 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] *the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate, respectively*, and any joint committee of the Congress may submit to [the Committees on the Budget of both Houses] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate*, 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 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] *the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate, as applicable*.

(2) *REVIEW OF UNAUTHORIZED APPROPRIATIONS.*—Each committee of the House of Representatives and the Senate shall include in the views and estimates of the committee required under paragraph (1) a description of the plans of the committee to consider legislation relating to programs within the jurisdiction of the committee that appeared in the most recent report of the Congressional Budget Office on unauthorized appropriations submitted to Congress under section 202(e)(3).

(3) *OVERSIGHT OF GOVERNMENT PERFORMANCE.*—

(A) *REVIEW.*—Each committee of the House of Representatives and the Senate shall—

(i) review programs and tax expenditures of which the committee has jurisdiction to identify waste, fraud, abuse,

or duplication, and increase the use of performance data to inform committee work; and

(ii) review the matters for congressional consideration identified in—

(I) the applicable semiannual reports of the inspectors general for which the committee has jurisdiction;

(II) the list of unimplemented recommendations compiled by the inspectors general for which the committee has jurisdiction;

(III) the High Risk list published by the Government Accountability Office; and

(IV) the annual report to reduce program duplication published by the Government Accountability Office as required under section 21 of the Joint Resolution entitled “Joint Resolution increasing the statutory limit on the public debt”, approved February 12, 2010 (31 U.S.C. 712 note).

(B) *INCLUSION IN VIEWS AND ESTIMATES.*—Based on the oversight efforts and performance reviews of programs under subparagraph (A), each committee of the House of Representatives and the Senate shall include plans for improved governmental performance in the views and estimates of the committee required under paragraph (1) to the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate, respectively.

(4) *REVENUE PROJECTION.*—The Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives shall each include in the views and estimates of the committee required under paragraph (1)—

(A) a report providing revenue projections for each fiscal year in the next biennium and the 4 ensuing bienniums, which shall include a description of how such revenue projections would be impacted by any extension of an expiring or terminating tax provision anticipated by the committee or other policy initiatives of the committee;

(B) a list of—

(i) any tax provisions that are scheduled to expire or terminate during the period described in subparagraph (A); and

(ii) any provisions described in clause (i) that the committee anticipates will be extended—

(I) to apply with respect to the next biennium; or

(II) to apply with respect to the period described in subparagraph (A); and

(C) an estimate of—

(i) the cost to extend the tax provisions listed in subparagraph (B)(i); and

(ii) the cost to extend the tax provisions the committee anticipates will be extended, as listed under subparagraph (B)(ii).

(e) *HEARINGS AND REPORT.*—

(1) In developing the concurrent resolution on the budget referred to in subsection (a) for each [fiscal year] biennium, [the Committee on the Budget of each House shall] the Committee

on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate shall each 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] the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate as part of [its] such committee's consideration of such concurrent resolution, and [its] such committee's report may reflect [its] such committee's views thereon, including [its] such committee's 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] such committee is recommending. On or before April 1 of each odd-numbered year (or, if applicable under section 300(b), June 1 of an odd numbered year), the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.

(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)A] 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)B] 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)C] 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)D] 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] *biennium* 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] *biennium* 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] *for a biennium*, 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.

* * * * *

(h) BUDGET COMMITTEES CONSULTATION WITH COMMITTEES.—
The Committee on the Budget of the House of Representatives

shall consult with the committees of [its House] *the House of Representatives* 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.

* * * * *

COMMITTEE ALLOCATIONS

SEC. 302. (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—] *of the levels for each fiscal year in the next biennium, for the period of the next biennium and the ensuing 2 bienniums, and for the period covered by the resolution (except in the case of the Committee on Appropriations only for each fiscal year in the biennium) 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** *May 15 of an odd-numbered year (or, if applicable under section 300(b), June 15 of an odd-numbered year)*, 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** *biennium* 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** *for each fiscal year in the biennium*, 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** *for a fiscal year during that biennium*, until that committee makes the suballocations required by subsection (b).

* * * * *

(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** *for a biennium*, 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** *each fiscal year of the biennium* 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** *each fiscal year of the biennium* or **the total of fiscal years** *the total of all fiscal years covered by the resolution* 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** *May 15 of an odd-numbered year (or, if applicable under section 300(b), June 15 of an odd-numbered year)*, 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.

* * * * *

CONCURRENT RESOLUTION ON THE BUDGET MUST BE ADOPTED
BEFORE BUDGET-RELATED LEGISLATION IS CONSIDERED

SEC. 303. (a) IN GENERAL.—Until the concurrent resolution on the budget **for a fiscal year** *for a biennium* has been agreed to, it shall not be in order in the House of Representatives, with respect to **the first fiscal year** *each fiscal year in the biennium* 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

(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** *the biennium*; 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 (*or, if applicable under section 300(b), June 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** *biennium* 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. At any time after the concurrent resolution on the budget for a **fiscal year** *biennium* has been agreed to pursuant to section 301, and before the end of such **fiscal year** *biennium*, 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** *for such biennium* most recently agreed to.

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) * * *

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a **fiscal year** *biennium* 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.

* * * * *

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

(1) **[Debate in the Senate on]** *Consideration in the Senate of 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] such consideration shall be limited to not more than 15 hours. Up to 15 minutes of the time elapsed during each vote by the Senate in relation to an amendment to or motion on a concurrent resolution on the budget shall be counted in determining the period of consideration of the resolution by the Senate. 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]** *1 hour, 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)(A) Following the presentation of opening statements on the concurrent resolution on the budget for a **[fiscal year]** *biennium* by the chairman and ranking minority member of the **[Committee on the Budget]** *Committee on Fiscal Control and the Budget* of the Senate, there shall be a period of up to **[four hours]** *2 hours* for debate on economic goals and policies.

(B)(i) *Following the expiration of the period described in subparagraph (A), consideration with respect to amendments to the resolution shall be in order. General debate in the Senate on a concurrent resolution on the budget shall be limited to 20 hours, which shall include the 2-hour period described in subparagraph (A), with all remaining time for consideration reserved for amendments.*

(ii) *Amendments shall be nondivisible.*

(iii)(I) *The opportunity to offer and have immediately considered an amendment to a concurrent resolution on the budget shall alternate between the members of the majority and the members of the minority.*

(II) *If the members of the majority or the members of the minority elect not to offer an amendment when presented an opportunity under this clause (including under subclause (III) of this clause), the members of the minority or the members of the majority, respectively, shall have the opportunity to offer and have immediately considered an amendment to a concurrent resolution on the budget.*

(III) After an amendment offered under subclause (II) by the members of the majority or the members of the minority is disposed of, the members of the minority or the members of the majority, respectively, shall have the opportunity to offer and have immediately considered an amendment to a concurrent resolution on the budget.

(4) Subject to the other limitations of this Act, only if a concurrent resolution on the budget reported by the [Committee on the Budget] Committee on Fiscal Control and 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. A motion to table such a motion to recommit shall be in order at any time.

(6) After the conclusion of the period for consideration of a concurrent resolution on the budget, the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table or to reconsider and 1 quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the vote on adoption of the concurrent resolution on the budget begins.

([6]7) 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.

* * * * *

(e) PROCEDURES IN THE SENATE FOR BIPARTISAN BUDGET RESOLUTIONS.—

(1) OTHER EXPEDITED PROCESS.—

(A) IN GENERAL.—Subject to subparagraph (B), in the Senate, upon the agreement of the majority leader and the minority leader, additional procedures to expedite consideration of a bipartisan budget resolution shall apply to consideration of the bipartisan budget resolution. The majority leader shall submit a written statement for the Congres-

sional Record reflecting any agreement described in this paragraph.

(B) *INCLUSION AND EXCLUSION.*—An agreement described in this paragraph—

(i) may include limiting the number of amendments upon which the Senate shall vote; and

(ii) may not include the waiver of any points of order.

(2) *ADOPTION.*—

(A) *IN GENERAL.*—In the Senate, a bipartisan budget resolution shall only be agreed to—

(i) if it complies with section 3(13)(A); and

(ii) upon the affirmative vote of not less than—

(I) three-fifths of the Members, duly chosen and sworn; and

(II) 15 Members that are members of the minority party in the Senate.

(B) *NOT AGREED TO.*—If a bipartisan budget resolution is not agreed to in accordance with subparagraph (A), the Senate shall be deemed to have agreed to a motion to recommit the bipartisan budget resolution to the Committee on Fiscal Control and the Budget.

(3) *CONFERENCE REPORTS AND AMENDMENTS BETWEEN THE HOUSES.*—

(A) *IN GENERAL.*—In the Senate, a conference report or an amendment between the Houses on a bipartisan budget resolution shall only be agreed to—

(i) if it complies with section 3(13)(A); and

(ii) upon the affirmative vote of not less than—

(I) three-fifths of the Members, duly chosen and sworn; and

(II) 15 Members that are members of the minority party in the Senate.

(B) *NOT AGREED TO.*—If a conference report or an amendment between the Houses on a bipartisan budget resolution is not agreed to in accordance with subparagraph (A), a motion to reconsider the conference report or amendment between the Houses is in order in accordance with rule XIII of the Standing Rules of the Senate.

LEGISLATION DEALING WITH CONGRESSIONAL BUDGET MUST BE HANDLED BY **[BUDGET COMMITTEES]** *THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FISCAL CONTROL AND THE BUDGET OF THE SENATE*

SEC. 306. **[(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.]

(a) *IN THE SENATE.*—

(1) *POINT OF ORDER.*—In the Senate, it shall not be in order to consider a provision in a bill, joint resolution, motion,

amendment, amendment between the Houses, or conference report containing any matter which is within the jurisdiction of the Committee on Fiscal Control and the Budget of the Senate unless the provision is in—

(A) a bill or joint resolution which has been reported by the Committee on Fiscal Control and the Budget of the Senate (or from the consideration of which such committee has been discharged); or

(B) an amendment to, amendment between the Houses in relation to, conference report on, or motion on a bill or joint resolution described in subparagraph (A).

(2) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in paragraph (1), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

(3) 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).

(4) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to paragraph (1), and such point of order being sustained, such material contained in such conference report or House amendment 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. In the Senate, debate on any such motion, and any debatable motions and appeals in connection therewith, shall be limited to 1 hour. 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.

* * * * *

HOUSE COMMITTEE ACTION ON ALL APPROPRIATION BILLS TO BE COMPLETED BY JUNE 10】 DEADLINE FOR HOUSE COMMITTEE ACTION ON ALL APPROPRIATION BILLS

SEC. 307. On or before June 10 of each year (or, if applicable under section 300(b), June 30 of a 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. (a) LEGISLATION PROVIDING NEW BUDGET AUTHORITY OR PROVIDING AN INCREASE OR DECREASE IN REVENUES OR TAX EXPENDITURES.— * * *

(3) CBO PAYGO ESTIMATES.—

(A) The Chairs of **the Committees on the Budget of the House and Senate** *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the 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. **]**

(b) UP-TO-DATE TABULATIONS OF CONGRESSIONAL BUDGET ACTION.—

(1) CBO REPORTS.—

(A) *IN GENERAL.*—At the request of the Chairman of the Committee on the Budget of the House of Representatives or the Chairman of the Committee on Fiscal Control and the Budget of the Senate, the Director of the Congressional Budget Office shall provide to each such committee reports detailing and tabulating congressional action on bills and joint resolutions providing an increase or decrease in budget authority, outlays, or revenues for fiscal years covered by a concurrent resolution on the budget.

(B) *CONTENTS.*—Each report provided under subparagraph (A) shall include, but is not limited to—

(i) an up-to-date tabulation comparing the appropriate aggregate levels included in the most recently adopted concurrent resolution on the budget with the levels resulting from current law, as modified by subsequently enacted legislation; and

(ii) an up-to-date calculation, for each committee of the House of Representatives and the Senate (other than the Committees on Appropriations), of the amount by which the committee is expected to exceed or not exceed, as the case may be, the allocation level described in section 302(a), as provided for the committee by the most recently adopted concurrent resolution on the budget.

(2) SCOREKEEPING REPORTS.—

(A) *IN GENERAL.*—The Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate shall each make available to Members of its House summary budget scorekeeping reports.

(B) *CONTENTS.*—Each report made available under subparagraph (A) shall—

(i) be made available not less frequently than bi-monthly to provide Members of each House an accurate representation of the current status of congressional consideration of the budget;

(ii) include, but is not limited to, summaries of tabulations and calculations provided under paragraph (1);

(iii) be based on information provided under paragraph (1) without substantive revision; and

(iv) be published in the Congressional Record and on a publicly accessible website by the Chairman of the Committee on the Budget of the House of Representatives or the Chairman of the Committee on Fiscal Control and the Budget of the Senate, as applicable, as soon as practicable.

(C) *SUBMISSION TO THE SPEAKER.*—The Chairman of the Committee on the Budget of the House of Representatives shall submit each report made available under subparagraph (A) to the Speaker.

* * * * *

RECONCILIATION

SEC. 310. (a) INCLUSION OF RECONCILIATION DIRECTIVES IN CONCURRENT RESOLUTIONS ON THE BUDGET.—A concurrent resolution on the budget for **any fiscal year** *any biennium*, 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** *any fiscal year covered by such resolution*;

(B) budget authority initially provided for prior fiscal years;

(C) new entitlement authority which is to become effective during **such fiscal year** *any fiscal year covered by such resolution*; and

(D) credit authority for **such fiscal year** *any fiscal year covered by such resolution*,

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;

* * * * *

(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) * * *

(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** *the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate, respectively*, which upon receiving all such recommendations, shall report to its House reconciliation legislation carrying out all such recommendations without any substantive revision.

* * * * *

(c) COMPLIANCE WITH RECONCILIATION DIRECTIONS.—

(1) * * *

(2)(A) Upon the reporting to the **Committee on the Budget** *Committee on Fiscal Control and 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** *Committee on Fiscal Control and the Budget* of the Senate may file with the Senate appro-

privately revised allocations under section 302(a) and revised functional levels and aggregates to carry out this subsection.

* * * * *

(d) LIMITATION ON AMENDMENTS TO RECONCILIATION BILLS AND RESOLUTIONS.—

(1) * * *

(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] or the Committee on Fiscal Control and the Budget 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] the Committee on the Budget of the House of Representatives pursuant to its instruction.

(e) PROCEDURE IN THE SENATE.— * * *

(2)(A) 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.

(B) In the Senate, a reconciliation bill reported under subsection (b) pursuant to reconciliation instructions in a bipartisan budget resolution, a House amendment thereto, and a conference report thereon shall be agreed to only upon the affirmative vote of not less than—

(i) a majority of the Members voting, a quorum being present; and

(ii) 15 Members that are members of the minority party in the Senate.

(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 of an odd-numbered year 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] for the biennium that begins with such fiscal year.

* * * * *

BUDGET-RELATED LEGISLATION MUST BE WITHIN APPROPRIATE LEVELS

SEC. 311. (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] for a biennium, 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]** *either fiscal year of the biennium* 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]** *either fiscal year of the biennium* or for the total of **[that first fiscal year]** *each fiscal year in the biennium* 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]** *for either fiscal year of the biennium* 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]** *either fiscal year in the biennium* or for the total of **[that first fiscal year and the ensuing fiscal years]** *all 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]** *each fiscal year in the biennium* or for the total of **[that fiscal year and the ensuing fiscal years]** *all fiscal years* for which allocations are provided under section 302(a).

* * * * *

DETERMINATIONS AND POINTS OF ORDER

SEC. 312. (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]** *or the Committee on Fiscal Control and the Budget of the Senate*, as applicable.

* * * * *

(c) MAXIMUM DEFICIT AMOUNT POINT OF ORDER IN THE SENATE.—It shall not be in order in the Senate to consider any concur-

rent resolution on the budget [for a fiscal year] *for a biennium*, 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] *either fiscal year in the biennium* 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] *either fiscal year in the biennium* 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] *the applicable fiscal year*.

* * * * *

EXTRANEOUS MATTER IN RECONCILIATION LEGISLATION

SEC. 313. (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】** *Committee on Fiscal Control and 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) **EXTRANEOUS 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】** *Committee on Fiscal Control and 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 in-

tervening 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. (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 Representatives [or the Senate] or the Committee on Fiscal Control and the Budget of 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) * * *

(g)(1)(A) ADJUSTMENTS.—If the Committee on Appropriations of either House reports an appropriation measure for any of fiscal years 2022 through 2027 that provides budget authority for grants under section 306 of the Social Security Act, or if a conference committee submits a conference report thereon, the chairman of the Committee on the Budget of the House of Representatives [or the Senate] or the Committee on Fiscal Control and the Budget of the Senate shall make the adjustments referred to in subparagraph (B) to reflect the additional new budget authority provided for such

grants in that measure or conference report and the outlays resulting therefrom, consistent with subparagraph (D).

* * * * *

SEC. 316. AUTOMATIC ADJUSTMENT OF DEBT LIMIT AND STATUTORY CAPS.

(a) *DEFINITION.*—*In this section, the term “covered concurrent resolution on the budget”—*

(1) *means a concurrent resolution on the budget for a biennium adopted under section 301 that contains text in the form specified under subsection (b) of this section applicable to the type of concurrent resolution on the budget; and*

(2) *does not include a concurrent resolution on the budget described in section 304.*

(b) *FORM.*—

(1) *IN GENERAL.*—*For a concurrent resolution on the budget that is not a bipartisan budget resolution, the form specified in this subsection is that, other than any short title, the first section of the concurrent resolution on the budget shall consist of only the following: “For purposes of section 316(c) of the Congressional Budget Act of 1974, Congress specifies that section 3101(b) of title 31, United States Code, shall be amended by striking the dollar amount and inserting ‘\$_____’; the blank space being filled with the appropriate level for the debt subject to limit under section 3101 of title 31, United States Code.*

(2) *BIPARTISAN BUDGET RESOLUTION.*—

(A) *IN GENERAL.*—*For a concurrent resolution on the budget that is a bipartisan budget resolution, the form specified in this subsection is that, other than any short title, the first section of the concurrent resolution on the budget shall consist of only the following: “For purposes of section 316(c) of the Congressional Budget Act of 1974, Congress specifies the following:*

(1) *Section 3101(b) of title 31, United States Code, shall be amended by striking the dollar amount and inserting ‘\$_____’;*

(2) *Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) shall be amended by inserting after paragraph (____) the following:*

*“(____) for fiscal year _____, for the discretionary category, \$_____ in new budget authority; and
“(____) for fiscal year _____, for the discretionary category, \$_____ in new budget authority;.”*

(B) *BLANK SPACES.*—*The blank spaces in paragraphs (1) and (2) of such section, as described in subparagraph (A) of this paragraph, shall be filled in as follows:*

(i) *The first blank being filled in with the appropriate level for the debt subject to limit under section 3101 of title 31, United States Code.*

(ii) *The second blank being filled in with the number of the paragraph establishing the discretionary spending limit for the last fiscal year for which the discretionary spending limits are in effect under section*

251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

(iii) *The third and sixth blanks being filled in with the paragraph numbers following the paragraph number specified in the second blank.*

(iv) *The fourth and seventh blanks being filled in with the fiscal years for which the level of the discretionary spending limits are being specified under the concurrent resolution on the budget.*

(v) *The fifth and eighth blanks being filled in with the amount of the discretionary spending limit for the discretionary category for the fiscal years described in the fourth and seventh blanks, respectively, being specified under the concurrent resolution on the budget.*

(c) **AUTOMATIC ENROLLMENT OF JOINT RESOLUTION.—**

(1) **IN GENERAL.**—Upon adoption by Congress of a covered concurrent resolution on the budget, the Secretary of the Senate shall prepare an engrossment of a joint resolution consistent with the text included in the covered concurrent resolution on the budget in the form specified under subsection (b).

(2) **SENATE.**—Upon engrossment of a joint resolution under paragraph (1), the vote by which the covered concurrent resolution on the budget was finally agreed to in the Senate shall also be considered as a vote on passage of the joint resolution in the Senate, and the joint resolution shall be considered as passed by the Senate and duly certified and examined. The engrossed copy shall be signed by the Secretary of the Senate and transmitted to the House of Representatives.

(3) **HOUSE OF REPRESENTATIVES.**—Upon receipt of the engrossed copy of a joint resolution under paragraph (2), the vote by which the covered concurrent resolution on the budget was finally agreed to in the House of Representatives shall also be considered as a vote on passage of the joint resolution in the House of Representatives, and the joint resolution shall be considered as passed by the House of Representatives and duly certified and examined. The Clerk of the House of Representatives shall transmit the joint resolution to be enrolled.

(4) **ENROLLING.**—Upon receipt of a joint resolution under paragraph (3), the Enrolling Clerk of the Senate shall enroll the joint resolution.

(5) **VETOES.**—If the President vetoes a joint resolution enrolled under paragraph (4), in the Senate there shall be not more than 1 hour of debate on the veto message, equally divided between the majority and minority leaders or their designees.

SEC. 317. SPECIAL RECONCILIATION INSTRUCTIONS

(a) **IN GENERAL.**—Only if the Director of the Congressional Budget Office submits a report under section 202(h) indicating that the target for the ratio of the debt held by the public to the gross domestic product of the United States by the end of the last fiscal year covered by the most recently agreed to concurrent resolution on the budget will not be achieved, not later than April 15 of the first fiscal year of such biennium, the Committee on Fiscal Control and the Budget of the Senate shall report to the Senate a simple resolution—

(1) specifying a total level of deficit reduction to be achieved and the period during which such reduction is to be achieved; and

(2) containing directives to 1 or more committees of the Senate specifying the total amount by which new budget authority or new entitlement authority contained in laws within the jurisdiction of each such committee is to be changed or revenues are to be changed to achieve the total level of deficit reduction.

(b) CONSIDERATION OF SPECIAL RECONCILIATION RESOLUTION.—

(1) PLACEMENT ON CALENDAR.—A resolution reported under subsection (a) by the Committee on Fiscal Control and the Budget of the Senate shall be placed immediately on the calendar.

(2) MOTION TO PROCEED.—

(A) IN GENERAL.—In the Senate, 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) to move to proceed to the consideration of a resolution reported under subsection (a) and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. 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 a resolution reported under subsection (a) is agreed to, the resolution shall remain the unfinished business of the Senate until disposed of.

(B) RESOLUTION FROM THE COMMITTEE ON FISCAL CONTROL AND THE BUDGET.—It shall not be in order to move to proceed to the consideration of a resolution containing the matter described in paragraphs (1) and (2) of subsection (a) that was not reported by the Committee on Fiscal Control and the Budget of the Senate.

(3) CONSIDERATION.—

(A) IN GENERAL.—In the Senate, consideration of a resolution reported under subsection (a), and on all amendments, debatable motions, and appeals in connection therewith, shall be limited to not more than 10 hours.

(B) GENERAL DEBATE.—After the Senate proceeds to a resolution reported under subsection (a), there shall be period of not more than 2 hours for general debate on the resolution, which shall be divided equally between those favoring and those opposing the resolution.

(C) AMENDMENTS.—

(i) PERIOD.—In the Senate, consideration of any amendment to a resolution reported under subsection (a) shall be limited to 1 hour, which shall be divided equally between those favoring and those opposing the amendment.

(ii) ALTERNATING OPPORTUNITY TO OFFER.—

(I) IN GENERAL.—The opportunity to offer and have immediately considered an amendment to a

resolution reported under subsection (a) shall alternate between the members of the majority and the members of the minority.

(II) *ELECT NOT TO OFFER.*—If the members of the majority or the members of the minority elect not to offer an amendment when presented an opportunity under this clause (including under subclause (III) of this clause), the members of the minority or the members of the majority, respectively, shall have the opportunity to offer and have immediately considered an amendment to the resolution reported under subsection (a).

(III) *RETURN TO ALTERNATING OPPORTUNITY.*—After an amendment offered under subclause (II) by the members of the majority or the members of the minority is disposed of, the members of the minority or the members of the majority, respectively, shall have the opportunity to offer and have immediately considered an amendment to the resolution reported under subsection (a).

(iii) *REQUIREMENTS FOR AMENDMENTS.*—The only amendments in order to a resolution reported under subsection (a) shall be—

(I) an amendment proposing to change an amount specified in the resolution;

(II) an amendment proposed to add directives described in subsection (a)(2) for 1 or more committees; and

(III) an amendment proposing to strike directives described in subsection (a)(2) for 1 or more committees.

(D) *FURTHER LIMIT ON CONSIDERATION.*—A motion further to limit consideration is in order and not debatable. A motion to postpone, a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order.

(E) *TIME DURING VOTES NOT COUNTED.*—For purposes of determining the end of the period of consideration of a resolution reported under subsection (a), or amendment thereto, any time during a vote of the Senate shall not be counted.

(4) *VOTE ON PASSAGE.*—After the conclusion of the period for consideration of a resolution reported under subsection (a), the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table or to reconsider and 1 quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the vote on adoption of the resolution begins.

(5) *RULINGS OF THE CHAIR ON PROCEDURE.*—Appeals from the decisions of the Chair relating to the application of this subsection or the rules of the Senate, as the case may be, to the pro-

cedure relating to a resolution reported under subsection (a) shall be decided without debate.

(c) *RECOMMENDATIONS OF COMMITTEES.*—If a resolution is reported under subsection (a), not later than May 15 of the year in which the resolution is reported, each committee for which the resolution contains directives shall submit to the Committee on Fiscal Control and the Budget of the Senate recommended changes in laws within the jurisdiction of the committee that comply with subsection (a)(2).

(d) *SPECIAL RECONCILIATION PROCEDURE.*—

(1) *IN GENERAL.*—Subject to paragraph (2), after each committee for which a resolution reported under subsection (a) contained directives has reported recommended changes to the Committee on Fiscal Control and the Budget of the Senate, the Committee on Fiscal Control and the Budget shall report to the Senate special reconciliation legislation carrying out all such recommendations without any substantive revision.

(2) *FAILURE TO REPORT COMPLIANT RECOMMENDATIONS.*—If 1 or more committees do not report recommendations that comply with subsections (a)(2) and (c), the Committee on Fiscal Control and the Budget of the Senate—

(A) shall report to the Senate special reconciliation legislation carrying out all reported recommendations that comply with subsections (a)(2) and (c), without any substantive revision; and

(B) may include in the legislation reported under subparagraph (A) changes in laws within the jurisdiction of each noncompliant committee, if the changes in law comply with subsection (a)(2).

(e) *LIMITS ON SPECIAL RECONCILIATION BILLS.*—

(1) *EXTRANEOUS MATERIAL.*—

(A) *IN GENERAL.*—It shall not be in order to consider any provision in legislation reported under subsection (d) that contains material extraneous (within the meaning given that term under section 313) to the directives to the applicable committee.

(B) *POINT OF ORDER SUSTAINED.*—If a point of order is made by a Senator against a provision described in subparagraph (A), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

(C) *FORM OF THE POINT OF ORDER.*—A point of order under subparagraph (A) may be raised by a Senator as provided in section 313(e).

(D) *CONFERENCE REPORTS.*—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, legislation reported under subsection (d), upon a point of order being made by any Senator pursuant to subparagraph (A), and such point of order being sustained, such material contained in such conference report or House amendment 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 fur-

ther 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 subparagraph), no further amendment shall be in order.

(E) SUPERMAJORITY WAIVER AND APPEAL.—In the Senate, this paragraph may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of 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 paragraph.

(2) DEFICIT REDUCTION REQUIRED.—

(A) EACH TITLE REDUCES THE DEFICIT.—

(i) IN GENERAL.—It shall not be in order to consider any title in legislation reported under subsection (d) that would increase the deficit over—

(I) the period during which the level of deficit reduction specified in subsection (a)(1) is to be achieved; or

(II) the period covered by the most recently agreed to concurrent resolution on the budget.

(ii) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a title described in clause (i), and the point of order is sustained by the Chair, that title shall be stricken from the measure and may not be offered as an amendment from the floor.

(iii) FORM OF THE POINT OF ORDER.—A point of order under clause (i) may be raised by a Senator as provided in section 313(e).

(iv) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to clause (i), and such point of order being sustained, such material contained in such conference report or House amendment 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 clause), no further amendment shall be in order.

(v) SUPERMAJORITY WAIVER AND APPEAL.—In the Senate, this subparagraph may be waived or sus-

pending only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of 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 subparagraph.

(B) NO AMENDMENTS REDUCING THE AMOUNT OF DEFICIT REDUCTION.—

(i) **IN GENERAL.**—It shall not be in order to consider an amendment to legislation reported under subsection (d) that would reduce the amount of the decrease in the deficit, as compared to the legislation as reported by the Committee on Fiscal Control and the Budget of the Senate, over—

(I) the period during which the level of deficit reduction specified in subsection (a)(1) is to be achieved; or

(II) the period covered by the most recently agreed to concurrent resolution on the budget.

(ii) **SUPERMAJORITY WAIVER AND APPEAL.**—In the Senate, this subparagraph may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of 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 subparagraph.

(f) CONSIDERATION OF SPECIAL RECONCILIATION BILLS.—

(1) **DEADLINE.**—Not later than July 30 of an even-numbered year, the Senate shall proceed to consideration of legislation reported under subsection (d).

(2) PROCEDURES.—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), and subject to subsection (e), if the Committee on Fiscal Control and the Budget of the Senate reports legislation under subsection (d), 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 such legislation and conference reports thereon.

(B) EXCEPTIONS.—

(i) **DEBATE.**—Debate in the Senate on any legislation reported under subsection (d), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours.

(ii) **AMENDMENTS.**—Paragraph (6) of section 305(b) shall not apply to legislation reported under subsection (d).

(C) **VETOES.**—If the President vetoes legislation reported under subsection (d), in the Senate there shall be not more than 1 hour of debate on the veto message, equally divided between the majority and minority leaders or their designees.

(3) *SPECIAL RULES FOR REVENUE MEASURES.—*

(A) *IN GENERAL.—If the legislation reported under subsection (d) is a revenue measure, the majority leader shall submit for publication in the Congressional Record a written statement identifying a bill of the House of Representatives that is a revenue measure and that shall be used as the vehicle for consideration of the legislation reported under subsection (d).*

(B) *MOTION TO PROCEED.—A motion to proceed to the consideration of a bill of the House of Representatives identified in a written statement under subparagraph (A) shall not be debatable.*

(C) *SUBSTITUTE AMENDMENT.—*

(i) *IN GENERAL.—If a motion to proceed to a bill of the House of Representatives identified in a written statement under subparagraph (A) is agreed to, the majority leader shall offer an amendment in the nature of a substitute to the bill, which shall consist only of the text of the legislation reported under subsection (d).*

(ii) *TREATMENT OF TEXT.—An amendment in the nature of a substitute offered under clause (i) shall be—*

(I) *deemed to be agreed to, subject to further amendment;*

(II) *treated as original text for purposes of germaneness and further amendment; and*

(III) *considered in the same manner as legislation reported under subsection (d), in accordance with paragraph (2) of this subsection.*

(D) *NO EFFECT ON POINTS OF ORDER.—The fact that legislation reported under subsection (d) is considered as an amendment in the nature of a substitute to a bill of the House of Representatives shall not preclude any point of order that would lie against the legislation if the legislation were considered as a bill of the Senate reported by the Committee on Fiscal Control and the Budget under subsection (d).*

* * * * *

TITLE IV—ADDITIONAL PROVISIONS TO IMPROVE FISCAL PROCEDURES

[2 U.S.C. 651 et seq.]

* * * * *

ANALYSIS BY CONGRESSIONAL BUDGET OFFICE

SEC. 402. (a) 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 House of Representatives or the Senate (except the Committee on Appropriations of each House) *except that, for the Committee on Appropriations of each House, the Director shall prepare a report only with respect to a supplemental appropriation bill (which shall in-*

clude an estimate of the interest effects of the bill)), 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]** 9 fiscal years following such fiscal year, together with the basis for each such estimate, *which shall include, and appear as supplemental information in the estimate, year-by-year estimates of the cost of servicing the debt produced as a result of carrying out such bill or resolution;*

(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]*(b) 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.*

(c) The Director of the Congressional Budget Office shall, to the extent practicable, prepare for each bill or resolution of a public character reported by the Committee on Appropriations of each House and submit to such committee—

(1) an estimate of the costs that would be incurred in carrying out such bill or resolution in the fiscal year in which the bill or resolution is to become effective;

(2) an estimate of the costs for any advance appropriations in the bill or resolution for the fiscal year in which the budget authority for those appropriations first becomes effective; and

(3) a year-by-year estimate for any provision of the bill or resolution 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 (2 U.S.C. 902) (as in effect prior to September 30, 2002) if the provision was included in legislation other than an appropriation Act.”.

* * * * *

SEC. 425. (a) IN GENERAL.— * * *

(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]** *Committee on Fiscal Control and the Budget.*

* * * * *

PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

SEC. 441. POINT OF ORDER AGAINST CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

(a) DEFINITIONS.—*In this section—*

(1) the term “CHIMP” means a provision that—

(A) would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902)

(as in effect prior to September 30, 2002) if the provision was included in legislation other than an appropriation Act; and

(B) results in a net decrease in budget authority in the current year or the budget year, but does not result in a net decrease in outlays over the period of the total of the current year, the budget year, and all fiscal years covered under the most recently adopted concurrent resolution on the budget;

(2) the term “Crime Victims Fund” means the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (34 U.S.C. 20101); and

(3) the term “3-year average amount” means the annual average amount that was deposited into the Crime Victims Fund during the 3-fiscal-year period beginning on October 1 of the fourth fiscal year before the fiscal year to which a CHIMP affecting the Crime Victims Fund applies.

(b) POINT OF ORDER IN THE SENATE.—

(1) POINT OF ORDER.—

(A) IN GENERAL.—In the Senate, it shall not be in order to consider a provision in a bill or joint resolution making appropriations for all or a portion of a fiscal year, or an amendment thereto, amendment between the Houses in relation thereto, conference report thereon, or motion thereon, that contains a CHIMP that, if enacted, would cause the amount available for obligation during the fiscal year from the Crime Victims Fund to be less than the 3-year average amount.

(B) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in subparagraph (A), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) 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).

(3) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to paragraph (1), and such point of order being sustained, such material contained in such conference report or House amendment 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.

(4) *SUPERMAJORITY WAIVER AND APPEAL.*—*In the Senate, this subsection may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of 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.*

(5) *DETERMINATION.*—*For purposes of this subsection, budgetary levels shall be determined on the basis of estimates provided by the Chairman of the Committee on Fiscal Control and the Budget of the Senate.*

(c) *POINT OF ORDER IN THE HOUSE OF REPRESENTATIVES.*—

(1) *IN GENERAL.*—*A provision in a bill or joint resolution making appropriations for a fiscal year that proposes a CHIMP that, if enacted, would cause the amount available for obligation during the fiscal year from the Crime Victims Fund to be less than the 3-year average amount shall not be in order in the House of Representatives.*

(2) *AMENDMENTS AND CONFERENCE REPORTS.*—*It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a fiscal year if such amendment thereto or conference report thereon proposes a CHIMP that, if enacted, would cause the amount available for obligation during the fiscal year from the Crime Victims Fund to be less than the 3-year average amount.*

(3) *DETERMINATION.*—*For purposes of this subsection, budgetary levels shall be determined on the basis of estimates provided by the Chairman of the Committee on the Budget of the House of Representatives.*

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TITLE VII—PROGRAM REVIEW AND EVALUATION

[2 U.S.C. 623]

* * * * *

CONTINUING STUDY OF ADDITIONAL BUDGET REFORM PROPOSALS

SEC. 703. (a) **[The Committees on the Budget of the House of Representatives and the Senate]** *The Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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 Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate shall, from time to time, report to the House of Representatives and the Senate, respectively, the results of the study carried on by it under subsection (a), together with its recommendations.*

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TITLE IX—MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

[2 U.S.C. 621 note]

* * * * *

EXERCISE OF RULEMAKING POWERS

SEC. 904. (a) * * *

(f) *GLOBAL WAIVER FOR GENERAL BUDGET POINTS OF ORDER.*—

(1) *DEFINITIONS.*—*In this subsection—*

(A) *the term “general budget point of order” means a point of order under this Act, the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act of 2010, or a concurrent resolution on the budget that if sustained—*

(i) in the case of a bill or joint resolution, the effect is the measure be recommitted to the appropriate committee for further consideration under section 312(f); or

(ii) in the case of any other measure, the effect is the same as if the Senate had disagreed to the measure; and

(B) *the term “surgical strike point of order” means a point of order under this Act, the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act of 2010, or a concurrent resolution on the budget raised against a provision in a measure that if sustained the effect is the provision be stricken from the measure.*

(2) *WAIVER.*—*In the Senate, it shall be in order for a Senator to move to waive all applicable general budget points of order with respect to a bill, joint resolution, concurrent resolution, motion, amendment, amendment between the Houses, or conference report. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain a motion made under this paragraph.*

(3) *PROHIBITION.*—

(A) *IN GENERAL.*—*In the Senate, it shall not be in order for a Senator to move to waive all applicable surgical strike points of order with respect to a bill, joint resolution, concurrent resolution, motion, amendment, amendment be-*

tween the Houses, or conference report, unless in response to a point of order being raised.

(B) *NO WAIVER.*—In the Senate, it shall not be in order to move to waive or suspend subparagraph (A).

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TITLE X—IMPOUNDMENT CONTROL

[2 U.S.C. 681 et seq.]

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SEC. 1018. REPORTS.

(a) APPORTIONMENT OF APPROPRIATIONS.—

(1) *IN GENERAL.*—Not later than 90 days after the date of enactment of this section, the Office of Management and Budget shall complete implementation of an automated system to post each document apportioning an appropriation, pursuant to section 1512 of title 31, United States Code, including any associated footnotes, on a publicly accessible website in a machine readable format, on the date of approval of such form by the Office of Management and Budget, and shall place on such website each document apportioning an appropriation, pursuant to section 1512 of title 31, United States Code, including any associated footnotes, already approved by the Office of Management and Budget in fiscal year 2020, and shall report the date of completion of such requirements to the Committee on Fiscal Control and the Budget and the Committee on Appropriations of the Senate and the Committee on the Budget and the Committee on Appropriations of the House of Representatives.

(2) *REPORT.*—Not later than 60 days after the date of enactment of this section, and each month thereafter, the Director of the Office of Management and Budget shall provide to the Committee on Fiscal Control and the Budget and the Committee on Appropriations of the Senate and the Committee on the Budget and the Committee on Appropriations of the House of Representatives a report containing the bureau, account name, appropriation name, and Treasury account fund symbol of each document requesting apportionment of an appropriation, pursuant to section 1512 of title 31, United States Code, that has not been approved by the Office of Management and Budget and that an agency initially submitted to Office of Management and Budget 30 days or more prior to the date of the report.

(b) BUDGET AUTHORITY.—

(1) *IN GENERAL.*—With respect to budget authority proposed to be rescinded or that is set to be reserved or proposed to be deferred in a special message transmitted under section 1012 or 1013, such budget authority—

(A) shall be made available for obligation in sufficient time to be prudently obligated as required under section 1012(b) or 1013; and

(B) may not be deferred or otherwise withheld from obligation during the 60-day period before the expiration of the period of availability of such budget authority, including,

if applicable, the 60-day period before the expiration of an initial period of availability for which such budget authority was provided.

(2) REVIEW.—

(A) *IN GENERAL.*—*The Comptroller General shall review compliance with this subsection and shall submit to the Committee on Fiscal Control and the Budget and the Committee on Appropriations of the Senate and the Committee on the Budget and the Committee on Appropriations of the House of Representatives a report, and any relevant information related to the report, on the lack of compliance with this subsection as soon as practicable after the Comptroller General discovers such noncompliance.*

(B) *INFORMATION AND DOCUMENTATION.*—*The President shall provide information and documentation to the Comptroller General, as is determined by the Comptroller General to be necessary to determine such compliance.*

(3) PENALTIES.—

(A) *IN GENERAL.*—*If any officer or employee of an Executive agency violates this subsection, the head of the agency shall report such violation immediately as required under section 1351 of title 31, United States Code, as if violation of this subsection was a violation of section 1341(a) or 1342 of that title.*

(B) *ADMINISTRATIVE DISCIPLINE.*—*Any officer or employee of the United States Government violating this subsection shall be subject to appropriate administrative discipline under section 1349(a) of such title as if violation of this subsection was a violation of section 1341(a) or 1342 of that title.*

* * * * *

DEFICIT REDUCTION

SEC. 1024. (a) * * *

(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** *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of 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. (a) RECEIPT AND REFERRAL OF SPECIAL MESSAGE.—Each special message transmitted under this part shall be referred to the **Committee on the Budget** *Committee on Fiscal Control and 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.

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CONSOLIDATED APPROPRIATIONS ACT, 2018

[Pub. L. 115-141, as amended]

DIVISION O—WILDFIRE SUPPRESSION FUNDING AND FOREST MANAGEMENT ACTIVITIES ACT

* * * * *

SEC. 104. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the end of the fiscal year for which additional new budget authority is used, pursuant to section 251(b)(2)(F)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(F)(i)), as added by section 102 of this division, the Secretary of the Interior or the Secretary of Agriculture (as applicable), in consultation with the Director of the Office of Management and Budget, shall—

(1) prepare an annual report with respect to the additional new budget authority;

(2) submit to the Committees on Appropriations, the Budget, and Natural Resources of the House of Representatives and the Committees on Appropriations, [the Budget] *Fiscal Control and the Budget*, and Energy and Natural Resources of the Senate the annual report prepared under paragraph (1); and

* * * * *

EMERGENCY ECONOMIC STABILIZATION ACT OF 2008

[Pub. L. 110-343, as amended, 12 U.S.C. 5202]

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, [the Committee on the Budget] *the Committee on Fiscal Control and the Budget*, and the Committee on Appropriations of the Senate; and

(B) the Committee on Financial Services, the Committee on Ways and Means, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

* * * * *

FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978

[Pub. L. 95-523, as amended]

SEC. 302. COMMITTEE REVIEW.

SEC. 302. (a) In conjunction with its review of the Economic Report, and the holding of hearings on the Economic Report under the Employment Act of 1946, the Joint Economic Committee shall review and analyze the short-term and medium-term goals set forth in the Economic Report pursuant to sections 3(a)(2) and 4(b) of the Employment Act of 1946 (as amended by sections 103 and 104 of this Act).

(b) The Joint Economic Committee shall hold hearings on the Economic Report for the purpose of receiving testimony from Members of the Congress; and such appropriate representatives of Federal departments and agencies, the general public, and interested groups as the joint committee deems advisable. The joint committee shall also consider the comments and views on the Economic Report which are received from State and local officials.

(c) Within thirty days after receipt by the Congress of the Economic Report, each standing committee of the Senate and the House of Representatives, each other committee of the Senate and the House of Representatives which has legislative jurisdiction, and each joint committee of the Congress may submit to the Joint Economic Committee, for use by the Joint Economic Committee in conducting its review and analysis under subsection (a), a report containing the views and recommendations of the submitting committee with respect to aspects of the Economic Report which relate to its jurisdiction.

(d) On or before March 15 of each year, a majority of the members of the Joint Economic Committee shall submit a report of [the Committees on the Budget of the Senate and the House of Representatives] *the Committee on the Budget of the House of Representatives and the Committee on Fiscal Control and the Budget of the Senate*. Such report shall include findings, recommendations, and any appropriate analyses with respect and in direct comparison to each of the short-term and medium-term goals set forth in the Economic Report.

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INTERNAL REVENUE CODE OF 1986

[Pub. L. 106-554, as amended; 26 U.S.C. 9503]

Subtitle I—Trust Fund Code

* * * * *

SEC. 9503. HIGHWAY TRUST FUND.

(a) * * *

(d) ADJUSTMENTS OF APPORTIONMENTS.—

(1) ESTIMATES OF UNFUNDED HIGHWAY AUTHORIZATIONS AND NET HIGHWAY RECEIPTS.—The Secretary of the Treasury, not less frequently than once in each calendar quarter, after con-

sultation with the Secretary of Transportation, shall estimate—

(A) the amount which would (but for this subsection) be the unfunded highway authorizations at the close of the next fiscal year, and

(B) the net highway receipts for the 48-month period beginning at the close of such fiscal year.

(2) PROCEDURE WHERE THERE IS EXCESS UNFUNDED HIGHWAY AUTHORIZATIONS.—If the Secretary of the Treasury determines for any fiscal year that the amount described in paragraph (1)(A) exceeds the amount described in paragraph (1)(B)—

(A) he shall so advise the Secretary of Transportation, and

(B) he shall further advise the Secretary of Transportation as to the amount of such excess.

(3) * * *

(7) REPORTS.—Any estimate under paragraph (1) and any determination under paragraph (2) shall be reported by the Secretary of the Treasury to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, [the Committees on the Budget of both Houses] *the Committee on the Budget of the House of Representatives, the Committee on Fiscal Control and the Budget of the Senate,* the Committee on Public Works and Transportation of the House of Representatives, and the Committee on Environment and Public Works of the Senate.

* * * * *

SMALL BUSINESS JOBS ACT OF 2010

[Pub. L. 111-240, as amended]

SEC. 3002. DEFINITIONS.

In this title, the following definitions shall apply:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Small Business and Entrepreneurship, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, [the Committee on the Budget] *the Committee on Fiscal Control and the Budget,* and the Committee on Appropriations of the Senate; and

(B) the Committee on Small Business, the Committee on Agriculture, the Committee on Financial Services, the Committee on Ways and Means, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

* * * * *

STATUTORY PAY-AS-YOU-GO ACT OF 2010

[Pub. L. 111–139, as amended; 2 U.S.C. 931 et seq.]

SEC. 4. PAYGO ESTIMATES AND PAYGO SCORECARDS.

(a) PAYGO ESTIMATES.—

(1) REQUIRED DESIGNATION IN PAYGO ACTS.—

(A) HOUSE OF REPRESENTATIVES.—To establish the budgetary effects of a PAYGO Act consistent with the determination made by the Chairman of the House Budget Committee, a PAYGO Act originated in or amended by the House of Representatives may include the following statement: “The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ‘Budgetary Effects of PAYGO Legislation’ for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.”.

(B) SENATE.—To establish the budgetary effects of a PAYGO Act consistent with the determination made by the Chairman of [the Senate Budget Committee] *the Committee on Fiscal Control and the Budget of the Senate*, a PAYGO Act originated in or amended by the Senate shall include the following statement: “The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ‘Budgetary Effects of PAYGO Legislation’ for this Act, submitted for printing in the Congressional Record by the Chairman of [the Senate Budget Committee] *the Committee on Fiscal Control and the Budget of the Senate*, provided that such statement has been submitted prior to the vote on passage.”.

(C) CONFERENCE REPORTS AND AMENDMENTS BETWEEN THE HOUSES.—To establish the budgetary effects of the conference report on a PAYGO Act, or an amendment to an amendment between Houses on a PAYGO Act, which if estimated shall be estimated jointly by [the Chairmen of the House and Senate Budget Committees] *the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on Fiscal Control and the Budget of the Senate*, the conference report or amendment between the Houses shall include the following statement: “The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ‘Budgetary Effects of PAYGO Legislation’ for this Act, jointly submitted for printing in the Congressional Record by [the Chairmen of the House and Senate Budget Committees] *the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on Fiscal Control and the Budget of the Senate*, provided that such statement has

been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.”.

(2) DETERMINATION OF BUDGETARY EFFECTS OF PAYGO ACTS.—

(A) ORIGINAL LEGISLATION.—

(i) STATEMENT AND ESTIMATE.—Prior to a vote on passage of a PAYGO Act originated or amended [by one House, the Chairman of the Budget Committee of that House] *by the House of Representatives or the Senate, the Chairman of the Committee on the Budget of the House of Representatives or the Chairman of the Committee on Fiscal Control and the Budget of the Senate, respectively* may submit for printing in the Congressional Record a statement titled “Budgetary Effects of PAYGO Legislation” which shall include an estimate of the budgetary effects of that Act, if available prior to passage of the Act by that House and shall submit, if applicable, an identification of any current policy adjustments made pursuant to section 7 of this Act. The timely submission of such a statement, in conjunction with the appropriate designation made pursuant to paragraph (1)(A) or (1)(B), as applicable, shall establish the budgetary effects of the PAYGO Act for the purposes of this Act.

(ii) EFFECT.—The latest statement submitted by [the Chairman of the Budget Committee of that House prior to passage] *the Chairman of the Committee on the Budget of the House of Representatives or the Chairman of the Committee on Fiscal Control and the Budget of the Senate prior to passage by the House of Representatives or the Senate, respectively*, shall supersede any prior statements submitted in the Congressional Record and shall be valid only if the PAYGO Act is not further amended by either House.

(iii) FAILURE TO SUBMIT ESTIMATE.—If—

(I) the estimate required by clause (i) has not been submitted prior to passage by that House;

(II) such estimate has been submitted but is no longer valid due to a subsequent amendment to the PAYGO Act; or

(III) the designation required pursuant to this subsection has not been made;

the budgetary effects of the PAYGO Act shall be determined under subsection (d)(3), provided that this clause shall not apply if a valid designation is subsequently included in that PAYGO Act pursuant to paragraph (1)(C) and a statement is submitted pursuant to subparagraph (B).

(B) CONFERENCE REPORTS AND AMENDMENTS BETWEEN HOUSES.—

(i) IN GENERAL.—Prior to the adoption of a report of a committee of conference on a PAYGO Act in either House, or disposition of an amendment to an amend-

ment between Houses on a PAYGO Act, [the Chairmen of the Budget Committees of the House and Senate] *the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on Fiscal Control and the Budget of the Senate* may jointly submit for printing in the Congressional Record a statement titled "Budgetary Effects of PAYGO Legislation" which shall include an estimate of the budgetary effects of that Act if available prior to passage of the Act by the House acting first on the legislation and shall submit, if applicable, an identification of any current policy adjustments made pursuant to section 7 of this title. The timely submission of such a statement, in conjunction with the appropriate designation made pursuant to paragraph (1)(C), shall establish the budgetary effects of the PAYGO Act for the purposes of this Act.

(ii) FAILURE TO SUBMIT ESTIMATE.—If such estimate has not been submitted prior to the adoption of a report of a committee of conference by either House, or if the designation required pursuant to this subsection has not been made, the budgetary effects of the PAYGO Act shall be determined under subsection (d)(3).

(3) PROCEDURE IN THE SENATE.—In the Senate, upon submission of a statement titled "Budgetary Effects of PAYGO Legislation" by the Chairman of the [Senate Budget Committee] *Committee on Fiscal Control and the Budget of the Senate* for printing in the Congressional Record, the Legislative Clerk shall read the statement.

(4) JURISDICTION [OF THE BUDGET COMMITTEES].—For the purposes of enforcing section 306 of the Congressional Budget Act of 1974, a designation made pursuant to paragraph (1)(A), (1)(B), or (1)(C), that includes only the language specifically prescribed therein, shall not be considered a matter within the jurisdiction of either [the Senate or House Committees on the Budget] *the Committee on the Budget of the House of Representatives or the Committee on Fiscal Control and the Budget of the Senate*.

* * * * *

SEC. 12. DETERMINATIONS AND POINTS OF ORDER.

Nothing in this title shall be construed as limiting the authority of [the chairmen of the Committees on the Budget of the House and Senate] *the Chairman of the Committee on the Budget of the House of Representatives or the Chairman of the Committee on Fiscal Control and the Budget of the Senate* under section 312 of the Congressional Budget Act of 1974. CBO may consult with [the Chairmen of the House and Senate Budget Committees] *the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on Fiscal Control and the Budget of the Senate* to resolve any ambiguities in this title.

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XII. PUBLIC HEARINGS

The Senate Committee on the Budget has held more than a dozen public hearings since the 114th Congress on matters related to reforming the congressional budget process. The Committee has also convened several additional hearings in which relevant concepts were discussed. S. 2765, the Bipartisan Congressional Budget Reform Act, is in large part, the byproduct of these public hearings.

On June 26, 2019, the Committee held a hearing at 3:15 p.m. in room 608 of the Dirksen Senate Office Building (SD-608) entitled “Fixing a Broken Budget and Spending Process: Securing the Nation’s Fiscal Future.” At the invitation of Chairman Mike Enzi, witness testimony was provided by the Honorable Gene L. Dodaro, Comptroller General, GAO.

On June 19, 2019, the Committee held a hearing at 2:30 p.m. in SD-608 entitled “Fixing a Broken Budget and Spending Process: Lessons from States.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Eli Bebout, Wyoming State Senator and Chairman of the Wyoming Senate Appropriations Committee, and Mr. John Hicks, Executive Director of the National Association of State Budget Officers. Mr. Benjamin Orr, Executive Director of the Maryland Center on Economic Policy, also provided witness testimony at the invitation of Ranking Member Bernie Sanders.

On May 14, 2019, the Committee held a hearing at 2:30 p.m. in SD-608 entitled “Fixing a Broken Budget and Spending Process: Perspectives of Two Former Chairmen.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Kent Conrad [D-ND] and the Honorable Judd Gregg [R-NH], former United States Senators and former chairmen of the Senate Committee on the Budget.

On February 27, 2019, the Committee held a hearing at 2:30 p.m. in SD-608 entitled “The Budget Control Act: A Review of Cap-Adjusted Spending.” At the invitation of Chairman Enzi, Ms. Teri Gullo, Assistant Director for Budget Analysis at CBO, provided witness testimony.

On September 13, 2018, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “An Update on Transparency at the Congressional Budget Office.” At the invitation of Chairman Enzi, the Honorable Keith Hall, then-Director CBO, provided witness testimony.

On May 23, 2018, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “GAO’s Annual Report on Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication in the Federal Government.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Gene L. Dodaro, Comptroller General, GAO.

On January 24, 2018, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Oversight of the Congressional Budget Office.” At the invitation of Chairman Enzi, the Honorable Keith Hall, then-Director of CBO, provided witness testimony.

On September 14, 2016, the Committee held a hearing at 3:30 p.m. in SD-608 entitled “Oversight of the Congressional Budget Office.” At the invitation of Chairman Enzi, the Honorable Keith Hall, then-Director of CBO, provided witness testimony.

On April 27, 2016, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Fixing the Budget Process: Better Budgets, Better Results.” At the invitation of Chairman Enzi, witness testimony was provided by Mr. Barry Anderson, former Acting Director of CBO, and Mr. James C. Capretta, Senior Fellow, Ethics and Public Policy Center, American Enterprise Institute (AEI). The late Mr. Stan Collender, former Executive Vice President, Qorvis MSLGROUP, also provided witness testimony at the invitation of Ranking Member Sanders.

On April 20, 2016, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Fixing the Budget Process and Restoring Stability in Government Operations.” At the invitation of Chairman Enzi, witness testimony was provided by Dr. Kevin Hassett, former Director of Economic Policy Studies, AEI, and Dr. Norman Ornstein, Resident Scholar, AEI. Dr. Philip Joyce, Senior Associate Dean, University of Maryland’s School of Public Policy, also provided witness testimony at the invitation of Ranking Member Sanders.

On April 13, 2016, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Fixing the Broken Budget Process.” At the invitation of Chairman Enzi, testimony was provided by the late Dr. Paul Posner, former Director of the Center for Public Service, George Mason University, and the Honorable Maurice McTigue, Vice President for Outreach at the Mercatus Center, George Mason University. Dr. Roy T. Meyers, Professor of Political Science, University of Maryland, Baltimore County, also provided witness testimony at the invitation of Ranking Member Sanders.

On April 6, 2016, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “How the Federal Government’s Financial Mismanagement Contributes to a Broken Budget Process.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Gene L. Dodaro, Comptroller General, GAO.

On February 3, 2016, the Committee held a hearing at 10 a.m. in SD-608 entitled “Spending on Unauthorized Programs.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Keith Hall, then-Director of CBO, Ms. Jessica Tollestrup, Specialist in Congress and the Legislative Process, Congressional Research Service, and the late Dr. Paul Posner, former Director of the Center for Public Service, George Mason University. Dr. James Thurber, former Director of the Center for Congressional and Presidential Studies, American University, also provided witness testimony at the invitation of Ranking Member Sanders.

On December 9, 2015, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “The Need for Regulatory Budgeting.” At the invitation of Chairman Mike Enzi, witness testimony was provided by Dr. John Graham, former Dean, School of Public and Environmental Affairs at Indiana University, and Dr. Jerry Ellig, former Senior Research Fellow, Mercatus Center, George Mason University. Mr. Robert Verchick, Chair of Environmental Law,

Loyola University New Orleans, also provided witness testimony at the invitation of Ranking Member Sanders.

On November 4, 2015, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Reforming the Federal Budget Process: A Biennial Approach to Better Budgeting.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Johnny Isakson [R-GA], United States Senator; the Honorable Thomas Carper [D-DE], United States Senator; and the Honorable William G. Batchelder, former Speaker of the Ohio House of Representatives. The Honorable David Price [D-NC], United States Representative, and Mr. Robert L. Bixby, Executive Director of the Concord Coalition, also provided witness testimony at the invitation of Ranking Member Sanders.

On October 21, 2015, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Reforming the Federal Budget Process: The Need for Action.” At the invitation of Chairman Enzi, witness testimony was provided by Mr. Michael Peterson, President and Chief Executive Officer of the Peter G. Peterson Foundation, and Dr. Douglas Holtz-Eakin, President of the American Action Forum and former Director of CBO. Ms. Deborah Weinstein, Executive Director of the Coalition on Human Needs, also provided witness testimony at the invitation of Ranking Member Sanders.

On May 19, 2015, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Oversight of the Congressional Budget Office.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Keith Hall, then-Director of CBO.

On March 4, 2015, the Committee held a hearing at 10:30 a.m. in SD-608 entitled “Wasteful Duplication in the Federal Government.” At the invitation of Chairman Enzi, witness testimony was provided by the Honorable Gene L. Dodaro, Comptroller General, GAO.