

113TH CONGRESS
1ST SESSION

S. 1598

To provide a process for ensuring the United States does not default on its obligations.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2013

Mrs. BOXER (for herself, Mr. SCHUMER, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide a process for ensuring the United States does not default on its obligations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay Our Bills Act”.

5 **SEC. 2. ADDITIONAL PRESIDENTIAL MODIFICATION OF THE**
6 **DEBT CEILING.**

7 (a) IN GENERAL.—Subchapter I of chapter 31 of
8 subtitle III of title 31, United States Code, is amended—

9 (1) in section 3101(b), by inserting “or 3101B”

10 after “section 3101A”; and

1 (2) by inserting after section 3101A the fol-
2 lowing:

3 **“§ 3101B. Additional Presidential modification of the**
4 **debt ceiling**

5 “(a) IN GENERAL.—

6 “(1) CERTIFICATION.—If the President submits
7 a written certification to Congress that the Presi-
8 dent has determined that the debt subject to limit
9 is within \$100,000,000,000 of the limit under sec-
10 tion 3101(b) and that further borrowing, in an
11 amount specified in the certification, is required to
12 meet existing commitments, the Secretary of the
13 Treasury may, unless a joint resolution of dis-
14 approval is enacted pursuant to this section, exercise
15 authority to borrow an additional amount equal to
16 the amount specified in the certification.

17 “(2) RESOLUTION OF DISAPPROVAL.—Congress
18 may consider a joint resolution of disapproval of the
19 authority under paragraph (1) as provided in sub-
20 sections (c) through (g). If the time for disapproval
21 has lapsed without enactment of a joint resolution of
22 disapproval under this section, the debt limit is in-
23 creased by the amount authorized under paragraph
24 (1).

25 “(b) SUSPENSION.—

1 “(1) IN GENERAL.—Section 3101(b) shall not
2 apply for the period beginning on the date on which
3 the President submits to Congress a certification
4 under subsection (a) and ending on the earlier of—

5 “(A) the date that is 15 calendar days
6 after Congress receives the certification, deter-
7 mined in accordance with subsection (g)(4)(A);
8 or

9 “(B) the date of enactment of a joint reso-
10 lution disapproving the President’s exercise of
11 authority with respect to the debt limit under
12 that certification.

13 “(2) SPECIAL RULE RELATING TO OBLIGATIONS
14 ISSUED DURING SUSPENSION PERIOD.—Effective on
15 the day after the applicable date described in para-
16 graph (1), the limitation in section 3101(b), as in-
17 creased under any provision of law, is increased to
18 the extent that—

19 “(A) the face amount of obligations issued
20 under this chapter and the face amount of obli-
21 gations whose principal and interest are guar-
22 anteed by the United States Government (ex-
23 cept guaranteed obligations held by the Sec-
24 retary of the Treasury) outstanding on the cal-

1 endar day after date described in paragraph (1)
2 of this subsection, exceeds

3 “(B) the face amount of such obligations
4 outstanding on the date on which the President
5 submits the applicable certification.

6 An obligation shall not be taken into account under
7 subparagraph (A) unless the issuance of such obliga-
8 tion was necessary to fund a commitment incurred
9 by the Federal Government that required payment
10 before the day after the applicable date described in
11 paragraph (1).

12 “(c) JOINT RESOLUTION OF DISAPPROVAL.—

13 “(1) IN GENERAL.—Except as provided in sub-
14 section (b)(2), the debt limit shall not be increased
15 under this section if, within 15 calendar days after
16 Congress receives the certification described in sub-
17 section (a)(1) (regardless of whether Congress is in
18 session), there is enacted into law a joint resolution
19 disapproving the President’s exercise of authority
20 with respect to such increase.

21 “(2) CONTENTS OF JOINT RESOLUTION.—For
22 the purpose of this section, the term ‘joint resolu-
23 tion’ means only a joint resolution—

1 “(A) that is introduced between the date a
 2 certification described in subsection (a)(1) is re-
 3 ceived and 3 calendar days after that date;

4 “(B) which does not have a preamble;

5 “(C) the title of which is only as follows:
 6 ‘Joint resolution relating to the disapproval of
 7 the President’s exercise of authority to increase
 8 the debt limit, as submitted under section
 9 3101B of title 31, United States Code, on
 10 _____’ (with the blank containing the
 11 date of such submission); and

12 “(D) the matter after the resolving clause
 13 of which is only as follows: ‘That Congress dis-
 14 approves of the President’s exercise of authority
 15 to increase the debt limit, as exercised pursuant
 16 to the certification submitted under section
 17 3101B(a) of title 31, United States Code, on
 18 _____.’ (with the blank containing the
 19 date of such submission).

20 “(d) EXPEDITED CONSIDERATION IN HOUSE OF
 21 REPRESENTATIVES.—

22 “(1) RECONVENING.—Upon receipt of a certifi-
 23 cation described in subsection (a)(1), the Speaker, if
 24 the House would otherwise be adjourned, shall notify
 25 the Members of the House that, pursuant to this

1 section, the House shall convene not later than the
2 second calendar day after receipt of such certifi-
3 cation.

4 “(2) REPORTING AND DISCHARGE.—Any com-
5 mittee of the House of Representatives to which a
6 joint resolution is referred shall report it to the
7 House without amendment not later than 5 calendar
8 days after the date of introduction of the joint reso-
9 lution. If a committee fails to report the joint resolu-
10 tion within that period, the committee shall be dis-
11 charged from further consideration of the joint reso-
12 lution and the joint resolution shall be referred to
13 the appropriate calendar.

14 “(3) PROCEEDING TO CONSIDERATION.—After
15 each committee authorized to consider a joint resolu-
16 tion reports it to the House or has been discharged
17 from its consideration, it shall be in order, not later
18 than the sixth day after introduction of the joint res-
19 olution, to move to proceed to consider the joint res-
20 olution in the House. All points of order against the
21 motion are waived. Such a motion shall not be in
22 order after the House has disposed of a motion to
23 proceed on a joint resolution addressing a particular
24 submission. The previous question shall be consid-
25 ered as ordered on the motion to its adoption with-

1 out intervening motion. The motion shall not be de-
 2 batable. A motion to reconsider the vote by which
 3 the motion is disposed of shall not be in order.

4 “(4) CONSIDERATION.—The joint resolution
 5 shall be considered as read. All points of order
 6 against the joint resolution and against its consider-
 7 ation are waived. The previous question shall be con-
 8 sidered as ordered on the joint resolution to its pas-
 9 sage without intervening motion except 2 hours of
 10 debate equally divided and controlled by the pro-
 11 ponent and an opponent. An amendment to the joint
 12 resolution or a motion to reconsider the vote on pas-
 13 sage of the joint resolution shall not be in order.

14 “(e) EXPEDITED PROCEDURE IN SENATE.—

15 “(1) RECONVENING.—Upon receipt of a certifi-
 16 cation under subsection (a)(1), if the Senate has ad-
 17 journed or recessed for more than 2 days, the major-
 18 ity leader of the Senate, after consultation with the
 19 minority leader of the Senate, shall notify the Mem-
 20 bers of the Senate that, pursuant to this section, the
 21 Senate shall convene not later than the second cal-
 22 endar day after receipt of such message.

23 “(2) PLACEMENT ON CALENDAR.—Upon intro-
 24 duction in the Senate, a joint resolution shall be im-
 25 mediately placed on the calendar.

1 “(3) FLOOR CONSIDERATION.—

2 “(A) IN GENERAL.—Notwithstanding rule
3 XXII of the Standing Rules of the Senate, it is
4 in order at any time during the period begin-
5 ning on the day after the date on which Con-
6 gress receives a certification under subsection
7 (a)(1) and ending on the sixth day after the
8 date of introduction of a joint resolution (even
9 though a previous motion to the same effect has
10 been disagreed to) to move to proceed to the
11 consideration of the joint resolution, and all
12 points of order against the joint resolution (and
13 against consideration of the joint resolution)
14 are waived. The motion to proceed is not debat-
15 able. The motion is not subject to a motion to
16 postpone. A motion to reconsider the vote by
17 which the motion is agreed to or disagreed to
18 shall not be in order. If a motion to proceed to
19 the consideration of the resolution is agreed to,
20 the joint resolution shall remain the unfinished
21 business until disposed of.

22 “(B) CONSIDERATION.—Consideration of
23 the joint resolution, and on all debatable mo-
24 tions and appeals in connection therewith, shall
25 be limited to not more than 10 hours, which

1 shall be divided equally between the majority
2 and minority leaders or their designees. A mo-
3 tion further to limit debate is in order and not
4 debatable. An amendment to, or a motion to
5 postpone, or a motion to proceed to the consid-
6 eration of other business, or a motion to recom-
7 mit the joint resolution is not in order.

8 “(C) VOTE ON PASSAGE.—If the Senate
9 has voted to proceed to a joint resolution, the
10 vote on passage of the joint resolution shall
11 occur immediately following the conclusion of
12 consideration of the joint resolution, and a sin-
13 gle quorum call at the conclusion of the debate
14 if requested in accordance with the rules of the
15 Senate.

16 “(D) RULINGS OF THE CHAIR ON PROCE-
17 DURE.—Appeals from the decisions of the Chair
18 relating to the application of the rules of the
19 Senate, as the case may be, to the procedure re-
20 lating to a joint resolution shall be decided
21 without debate.

22 “(f) AMENDMENT NOT IN ORDER.—A joint resolu-
23 tion of disapproval considered pursuant to this section
24 shall not be subject to amendment in either the House
25 of Representatives or the Senate.

1 “(g) COORDINATION WITH ACTION BY OTHER
2 HOUSE.—

3 “(1) IN GENERAL.—If, before passing the joint
4 resolution, one House receives from the other a joint
5 resolution—

6 “(A) the joint resolution of the other
7 House shall not be referred to a committee; and

8 “(B) the procedure in the receiving House
9 shall be the same as if no joint resolution had
10 been received from the other House, except that
11 the vote on final passage shall be on the joint
12 resolution of the other House.

13 “(2) TREATMENT OF JOINT RESOLUTION OF
14 OTHER HOUSE.—If the Senate fails to introduce or
15 consider a joint resolution under this section, the
16 joint resolution of the House shall be entitled to ex-
17 pedited floor procedures under this section.

18 “(3) TREATMENT OF COMPANION MEASURES.—
19 If, following passage of the joint resolution in the
20 Senate, the Senate receives the companion measure
21 from the House of Representatives, the companion
22 measure shall not be debatable.

23 “(4) CONSIDERATION AFTER PASSAGE.—

24 “(A) IN GENERAL.—If Congress passes a
25 joint resolution, the period beginning on the

1 date the President is presented with the joint
 2 resolution and ending on the date the President
 3 signs, allows to become law without his signa-
 4 ture, or vetoes and returns the joint resolution
 5 (but excluding days when either House is not in
 6 session) shall be disregarded in computing the
 7 calendar day period described in subsection
 8 (b)(1) or subsection (c)(1).

9 “(B) DEBATE.—Debate on a veto message
 10 in the Senate under this section shall be 1 hour
 11 equally divided between the majority and minor-
 12 ity leaders or their designees.

13 “(5) VETO OVERRIDE.—If within the calendar
 14 day period described in subsection (c)(1), Congress
 15 overrides a veto of a joint resolution, except as pro-
 16 vided in subsection (b)(2), the limit on debt provided
 17 in section 3101(b) shall not be raised under this sec-
 18 tion.

19 “(h) RULES OF HOUSE OF REPRESENTATIVES AND
 20 SENATE.—This subsection and subsections (c), (d), (e),
 21 (f), and (g) are enacted by Congress—

22 “(1) as an exercise of the rulemaking power of
 23 the Senate and House of Representatives, respec-
 24 tively, and as such it is deemed a part of the rules
 25 of each House, respectively, but applicable only with

1 respect to the procedure to be followed in that
2 House in the case of a joint resolution, and it super-
3 sedes other rules only to the extent that it is incon-
4 sistent with such rules; and

5 “(2) with full recognition of the constitutional
6 right of either House to change the rules (so far as
7 relating to the procedure of that House) at any time,
8 in the same manner, and to the same extent as in
9 the case of any other rule of that House.”.

10 (b) CONFORMING AMENDMENT.—The table of sec-
11 tions for chapter 31 of title 31, United States Code, is
12 amended by inserting after the item relating to section
13 3101A the following:

 “3101B. Additional Presidential modification of the debt ceiling.”.

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