Nunes Ross Stearns Rothman (NJ) Nye Stupak Oberstar Rovbal-Allard Sutton Obev Royce Tanner Ruppersberger Olson Taylor Rush Olver Teague Ryan (OH) Ortiz Terry Ryan (WI) Pallone Thompson (CA) Pascrell Salazar Thompson (PA) Pastor (AZ) Sánchez, Linda Thornberry Paul Tia.hrt. Sanchez, Loretta Paulsen Tiberi Sarbanes Pavne Tiernev Pence Perlmutter Schakowsky Tonko Schauer Perriello Peters Schiff Towns Peterson Schmidt Tsongas Turner Petri Schock Pingree (ME) Schwartz Upton Van Hollen Pitts Scott (GA) Scott (VA) Platts Velázquez Poe (TX) Sensenbrenner Visclosky Polis (CO) Serrano Walden Sessions Pomeroy Walz Posey Price (GA) Sestak Wamp Shadegg Wasserman Shea-Porter Price (NC) Schultz Putnam Sherman Waters Quigley Shimkus Watson Radanovich Shuler Watt Rahall Shuster Waxman Rangel Simpson Weiner Rehberg Sires Welch Reichert Skelton Westmoreland Slaughter Reves Wexler Richardson Smith (NE) Whitfield Rodriguez Smith (NJ) Wilson (OH) Roe (TN) Smith (TX) Wilson (SC) Rogers (AL) Smith (WA) Wittman Rogers (KY) Snyder Rogers (MI) Souder Wolf Woolsey Rohrabacher Space Wu Rooney Speier Ros-Lehtinen Yarmuth Spratt Roskam Stark Young (AK)

NOT VOTING-15

Ackerman Kennedy Melancon Barrett (SC) Kilroy Schrader Bishop (UT) Marchant Sullivan McCarthy (NY) Thompson (MS) Brady (TX) McCotter Young (FL) Emerson

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that there are 2 minutes remaining in this vote.

\Box 1237

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING LATINO DIABETES AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 69, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and agree to the resolution, H. Res. 69.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 13, as follows:

[Roll No. 609]

YEAS-420

Johnson, E. B.

Dahlkemper

Abercrombie

Ackerman

Adler (NJ)

Alexander

Altmire

Andrews

Arcuri

Baca

Austria

Bachus

Baldwin

Barrow

Bean

Becerra

Berkley

Berman

Biggert

Bilbray

Bilirakis

Bishop (GA)

Bishop (NY)

Bishop (UT)

Blumenauer

Blackburn

Blunt

Boccieri

Boehner

Bono Mack

Bonner

Boren

Boyd

Boswell

Boucher

Boustany

Brady (PA)

Brady (TX)

Braley (IA)

Broun (GA)

Brown (SC)

Ginny

Buchanan

Burton (IN)

Butterfield

Burgess

Buyer

Camp

Cantor

Capito

Capps

Capuano

Cardoza

Carnev

Carter

Castle

Cassidy

Chaffetz

Chandler

Childers

Chu

Clay

Clarke

Cleaver

Clyburn

Coffman (CO)

Connolly (VA)

Coble

Cohen

Conaway

Convers

Costello

Courtney

Crenshaw

Culberson

Cummings

Crowley

Cuellar

Cooper

Costa

Cole

Carnahan

Carson (IN)

Castor (FL)

Cao

Calvert

Campbell

Brown, Corrine Brown-Waite,

Bright

Berry

Bartlett

Barrett (SC)

Barton (TX)

Baird

Bachmann

Aderholt

Akin

Davis (AL) Johnson, Sam Davis (CA) Jones Jordan (OH) Davis (IL) Davis (KY) Kagen Kanjorski Davis (TN) Deal (GA) Kaptur DeFazio Kildee Kilpatrick (MI) DeGette Delahunt Kilroy DeLauro Kind King (IA) Dent Diaz-Balart, L. King (NY) Diaz-Balart M Kingston Dicks Kirk Dingell Kirkpatrick (AZ) Doggett Donnelly (IN) Kissell Klein (FL) Kline (MN) Doyle Kosmas Dreier Driehaus Kratovil Kucinich Duncan Edwards (TX) Lamborn Ehlers Lance Langevin Ellison Ellsworth Larsen (WA) Larson (CT) Engel Latham Eshoo Etheridge LaTourette Fallin Latta Lee (CA) Farr Fattah Lee (NY Filner Levin Lewis (CA) Flake Fleming Lewis (GA) Linder Forbes Lipinski Fortenberry Foster LoBiondo Loebsack Foxx Frank (MA) Lofgren, Zoe Franks (AZ) Lowey Frelinghuysen Lucas Fudge Luetkemever Gallegly Luián Garrett (NJ) Lummis Gerlach Lungren, Daniel Giffords E. Gingrey (GA) Lynch Gohmert Mack Gonzalez Maffei Goodlatte Maloney Gordon (TN) Manzullo Markey (CO) Granger Graves Markey (MA) Gravson Marshall Green, Al Massa Green, Gene Matheson Griffith Matsui McCarthy (CA) Guthrie Gutierrez McCaul McClintock Hall (NY) Hall (TX) McCollum Halvorson McDermott Hare McGovern Harman McHenry Harper Hastings (FL) McHugh McIntvre Hastings (WA) McKeon Heinrich McMahon Heller McMorris Hensarling Rodgers Herger McNerney Herseth Sandlin Meek (FL) Meeks (NY) Higgins Hill Melancon Himes Mica Hinchey Michaud Hinojosa Miller (FL) Hirono Miller (MI) Miller (NC) Hodes Miller, Garv Hoekstra Miller, George Holden Holt Minnick Honda Mitchell Hoyer Moore (KS) Hunter Moore (WI) Moran (KS) Inglis Inslee Moran (VA) Murphy (CT) Murphy (NY) IsraelIssa Jackson (IL) Murphy, Patrick Jackson-Lee Murphy, Tim (TX) Murtha Jenkins Myrick Johnson (GA) Nadler (NY)

Napolitano

Johnson (IL)

Stark Stearns Neal (MA) Roskam Neugebauer Ross Nunes Rothman (NJ) Nve Roybal-Allard Oberstar Royce Obey Rush Rvan (OH) Olson Ryan (WI) Olver Ortiz Salazar Pallone Sánchez, Linda Pascrell Т. Sanchez, Loretta Pastor (AZ) Paulsen Sarbanes Payne Pence Schakowsky Perlmutter Schauer Perriello Schiff Schmidt Peters Peterson Schock Petri Schrader Pingree (ME) Schwartz Scott (GA) Pitts Platts Scott (VA) Poe (TX) Sensenbrenner Polis (CO) Serrano Pomeroy Sessions Posev Sestak Price (GA) Shadegg Price (NC) Shea-Porter Putnam Sherman Quigley Shimkus Radanovich Shuler Rahall Shuster Rangel Simpson Rehberg Sires Skelton Reichert Reyes Slaughter Richardson Smith (NE) Rodriguez Smith (NJ) Roe (TN) Smith (TX) Rogers (AL) Smith (WA) Rogers (KY) Snyder Rogers (MI) Souder Rohrabacher Space Wu Speier Rooney Ros-Lehtinen Spratt NOT VOTING-13

Stupak Sullivan Sutton Tanner Taylor Teague Terry Thompson (CA) Thompson (PA) Thornberry Tiahrt Tiberi Tiernev Titus Tonko Towns Tsongas Turner Upton Van Hollen Velázquez Visclosky Walden Walz Wamp Wasserman Schultz Waters Watson Watt Waxman Weiner Welch Westmoreland Wexler Whitfield Wilson (OH) Wilson (SC) Wittman Wolf Woolsey Yarmuth Young (AK)

Marchant Boozman Ruppersberger McCarthy (NY) Edwards (MD) Thompson (MS) Emerson McCotter Young (FL) Grijalya. Mollohan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (Mr.

TIERNEY) (during the vote). There are 2 minutes remaining in this vote.

□ 1243

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BOOZMAN. Mr. Speaker, on rollcall No. 609 on H. Res. 69 I am not recorded. Had I been present, I would have voted "yea."

REFERRAL OF H. RES. 631 TO COM-MITTEE ON ENERGY AND COM-

GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Science and Technology be discharged from further consideration of House Resolution 631 and that the resolution be referred to the Committee on Energy and Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

STATUTORY PAY-AS-YOU-GO ACT OF 2009

Mr. SPRATT. Mr. Speaker, pursuant to House Resolution 665, I call up the bill (H.R. 2920) to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, and ask for its immediate consideration.

The Clerk read the title of the bill.

\sqcap 1245

The SPEAKER pro tempore. Pursuant to House Resolution 665, the amendment in the nature of a substitute printed in part A of House Report 111–217, modified by the amendment printed in part B of the report, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2920

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

- (a) SHORT TITLE.—This Act may be cited as the "Statutory Pay-As-You-Go Act of 2009".

 (b) TABLE OF CONTENTS.—
- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Definitions.
- Sec. 4. PAYGO estimates and PAYGO scorecards.
- Sec. 5. Annual report and sequestration order.
- Sec. 6. Calculating a sequestration.
- Sec. 7. Current policy adjustment to the CBO estimates.
- Sec. 8. Application of BBEDCA.
- Sec. 9. Technical corrections.
- Sec. 10. Conforming amendments.
- Sec. 11. Exempt programs and activities.

SEC. 2. PURPOSE.

The purpose of this Act is to reestablish a statutory procedure to enforce a rule of budget neutrality on new revenue and direct spending legislation.

SEC. 3. DEFINITIONS.

As used in this Act-

- (1) The term "BBEDCA" means the Balanced Budget and Emergency Deficit Control Act of 1985.
- (2) The definitions set forth in section 3 of the Congressional Budget and Impoundment Control Act of 1974 and in section 250 of BBEDCA shall apply to this Act, except to the extent that they are specifically modified as follows:
- (A) The term "outyear" means a fiscal year that occurs one or more years after the budget year.
- (B) In section 250(c)(8)(C), the reference to the food stamp program shall be deemed to be a reference to the Supplemental Nutrition Assistance Program.
- (3) The term "AMT" means the Alternative Minimum Tax for individuals under sections 55-59 of the Internal Revenue Code of 1986, the term "EGTRRA" means the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107–16), and the term "JGTRRA" means the Jobs and Growth Tax Relief and Reconciliation Act of 2003 (Public Law 108–27).
- (4)(A) The term "budgetary effects" means the amounts by which PAYGO legislation changes direct spending or revenues relative to the baseline and shall be determined on the basis of estimates included by reference in the PAYGO Act or prepared under section 4(d)(3), as applicable. Budgetary effects that increase direct spending or decrease reve-

nues are termed "costs" and budgetary effects that increase revenues or decrease direct spending are termed "savings".

- (B) For purposes of these definitions, offbudget effects shall be counted as budgetary effects unless such changes flow directly from amendments to title II of the Social Security Act and related provisions of the Internal Revenue Code of 1986 and debt service effects shall not be counted as budgetary effects.
- (C) Solely for purposes of recording entries on a PAYGO scorecard, provisions in appropriations Acts are also considered to be budgetary effects for purposes of this Act if such provisions make outyear modifications to substantive law, except that provisions for which the outlay effects net to zero over a period consisting of the current year, the budget year, and the 4 subsequent years shall not be considered budgetary effects. For purposes of this paragraph, the term, "modifications to substantive law" refers to changes to or restrictions on entitlement law or other mandatory spending contained in appropriations Acts, notwithstanding section 250(c)(8) of BBEDCA. Provisions in appropriations Acts that are neither outvear modifications to substantive law nor changes in revenues have no budgetary effects for purposes of this Act.
- (D) If a provision is designated as an emergency requirement under this Act and is also designated as an emergency requirement under the applicable rules of the House of Representatives, CBO shall not include the cost of such a provision in its estimate of the PAYGO legislation's budgetary effects.
- (5) The term "debit" refers to the net total amount, when positive, by which costs recorded on the PAYGO scorecards for a fiscal year exceed savings recorded on those scorecards for that year.
- (6) The term "entitlement law" refers to a section of law which provides entitlement authority.
- (7) The term "PAYGO legislation" or a "PAYGO Act" refers to a bill or joint resolution that affects direct spending or revenue relative to the baseline. The budgetary effects of changes in revenues and outyear modifications to substantive law included in appropriation Acts as defined in paragraph (4) shall be treated as if they were contained in PAYGO legislation.
- (8) The term "timing shift" refers to a delay of the date on which direct spending would otherwise occur from the ninth out-year to the tenth outyear or an acceleration of the date on which revenues would otherwise occur from the tenth outyear to the ninth outvear.

SEC. 4. PAYGO ESTIMATES AND PAYGO SCORE-CARDS.

- (a) PAYGO ESTIMATES.—(1) A PAYGO Act shall include by reference an estimate of its budgetary effects as determined under section 308(a)(3) of the Congressional Budget Act of 1974, if timely submitted "for printing in the Congressional Record by the chairs of the Committees on the Budget of the House of Representatives and the Senate, as applicable, before the vote on the PAYGO legislation". "The Clerk of the House or the Secretary of the Senate, as applicable, shall also incorporate by reference such estimate printed in the relevant portion of the Congressional Record under section 308(a)(3) of the Congressional Budget Act of 1974 into the enrollment of a PAYGO Act.". Budgetary effects that are not so included shall be determined under section 4(d)(3).
- (2)(A) Section 308(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:
- "(3) CBO PAYGO ESTIMATES.—Before a vote in either House on a PAYGO Act that, if determined in the affirmative, would clear

such Act for enrollment, the chairs of the Committees on the Budget of the House and Senate as applicable shall request from the Director of the Congressional Budget Office an estimate of the budgetary effects of such Act under the Statutory Pay-As-You-Go Act of 2009. If such an estimate is timely provided, the chairs of the Committees on the Budget of the House of Representatives and the Senate shall post such estimate on their respective committee websites and cause it to be printed in the Congressional Record under the heading 'PAYGO ESTIMATE'. For purposes of this section, the Director of the Congressional Budget Office shall not count timing shifts in his estimates of the budgetary effects of PAYGO legislation (as defined in section 3 of the Statutory Pay-As-You-Go Act of 2009).".

(B) The side heading of section 308(a) of the Congressional Budget Act of 1974 is amended by striking "REPORTS ON".

(b) Section 308 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

- "(d) Scorekeeping Guidelines.—The Director of the Congressional Budget Office shall provide estimates under this section in accordance with the scorekeeping guidelines determined under section 252(d)(5) of the Balanced Budget and Emergency Deficit Control Act of 1985. Upon agreement, the chairs of the Committees on the Budget of the House of Representatives and the Senate shall submit updates to such guidelines for printing in the Congressional Record."
- (c) CURRENT POLICY ADJUSTMENTS FOR CER-TAIN LEGISLATION.—For purposes of calculating budgetary effects under this Act, CBO shall adjust its estimates as described below for any provision of legislation designated as meeting the criteria in subsection (b), (c), or (d) of section 7 and which the chairman of the Committee on the Budget of the House of Representatives or the Senate, as applicable, designates as meeting those criteria. A single piece of legislation may contain provisions designated as meeting criteria in more than one of the subsections listed above. For appropriately designated provisions, CBO shall exclude from its estimates for purposes of this Act any costs of a provision to the extent that those costs, when combined with all other excluded costs of any other previously designated provisions of enacted legislation under the same subsection of section 7, do not exceed the maximum applicable current policy adjustment defined under the applicable subsection of section 7 for the applicable 10-year period, using the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 used in considering a concurrent resolution on the budget; or, after the beginning of a new calendar year and before consideration of a concurrent resolution on the budget, using the most recent baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, CBO estimates of legislation containing a current policy designation under this subsection shall include a separate presentation of costs excluded from the calculation of budgetary effects for the legislation, as well as an updated total of all excluded costs of provisions within the same subsection of section 7.
 - (d) OMB PAYGO SCORECARDS.—
- (1) IN GENERAL.—OMB shall maintain and make publicly available a continuously updated document containing two PAYGO scorecards displaying the budgetary effects of PAYGO legislation as determined under section 308 of the Congressional Budget Act of 1974, applying the look-back requirement