

2 USC Ch. 17A: CONGRESSIONAL BUDGET AND FISCAL OPERATIONS
From Title 2—THE CONGRESS

CHAPTER 17A—CONGRESSIONAL BUDGET AND FISCAL OPERATIONS

Sec.

621.

Congressional declaration of purpose.

622.

Definitions.

623.

Continuing study of additional budget reform proposals.

SUBCHAPTER I—CONGRESSIONAL BUDGET PROCESS

631.

Timetable.

632.

Annual adoption of concurrent resolution on the budget.

633.

Committee allocations.

634.

Concurrent resolution on the budget must be adopted before budget-related legislation is considered.

635.

Permissible revisions of concurrent resolutions on the budget.

636.

Provisions relating to consideration of concurrent resolutions on the budget.

637.

Legislation dealing with Congressional budget must be handled by Budget Committees.

638.

~~House Committee action on all appropriation bills to be completed by June 10.~~ House committee action on the annual budget Act to be completed by June 10.

639.

Reports, summaries, and projections of Congressional budget actions.

640.

~~House approval of regular appropriation bills.~~ House approval of annual budget Act.

641.

Reconciliation.

642.

Budget-related legislation must be within appropriate levels.

643.

Determinations and points of order.

644.

Extraneous matter in reconciliation legislation.

645.

Adjustments.

645a.

Effect of adoption of special order of business in House of Representatives.

SUBCHAPTER II—FISCAL PROCEDURES

PART A—GENERAL PROVISIONS

- 651.
Budget-related legislation not subject to appropriations.
- 652.
Repealed.
- 653.
Analysis by Congressional Budget Office.
- 654.
Study by Government Accountability Office of forms of Federal financial commitment not reviewed annually by Congress.
- 655.
Off-budget agencies, programs, and activities.
- 656.
Member User Group.

§621. Congressional declaration of purpose

The Congress declares that it is essential—

- (1) to assure effective congressional control over the budgetary process;
- (2) to provide for the congressional determination each year of the appropriate level of Federal revenues and expenditures;
- (3) to provide a system of impoundment control;
- (4) to establish national budget priorities; and
- (5) to provide for the furnishing of information by the executive branch in a manner that will assist the Congress in discharging its duties.

(Pub. L. 93–344, §2, July 12, 1974, 88 Stat. 298.)

§622. Definitions

For purposes of this Act—

- (1) The terms "budget outlays" and "outlays" mean, with respect to any fiscal year, expenditures and net lending of funds under budget authority during such year.
- (2) Budget authority and new budget authority.—
 - (A) In general.—The term "budget authority" means the authority provided by Federal law to incur financial obligations, as follows:
 - (i) provisions of law that make funds available for obligation and expenditure (other than borrowing authority), including the authority to obligate and expend the proceeds of offsetting receipts and collections;
 - (ii) borrowing authority, which means authority granted to a Federal entity to borrow and obligate and expend the borrowed funds, including through the issuance of promissory notes or other monetary credits;
 - (iii) contract authority, which means the making of funds available for obligation but not for expenditure; and
 - (iv) offsetting receipts and collections as negative budget authority, and the reduction thereof as positive budget authority.

(B) Limitations on budget authority.—With respect to the Federal Hospital Insurance Trust Fund, the Supplementary Medical Insurance Trust Fund, the Unemployment Trust

Fund, and the railroad retirement account, any amount that is precluded from obligation in a fiscal year by a provision of law (such as a limitation or a benefit formula) shall not be budget authority in that year.

(C) New budget authority.—The term "new budget authority" means, with respect to a fiscal year—

(i) budget authority that first becomes available for obligation in that year, including budget authority that becomes available in that year as a result of a reappropriation; or

(ii) a change in any account in the availability of unobligated balances of budget authority carried over from a prior year, resulting from a provision of law first effective in that year;

and includes a change in the estimated level of new budget authority provided in indefinite amounts by existing law.

(3) The term "tax expenditures" means those revenue losses attributable to provisions of the Federal tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability; and the term "tax expenditures budget" means an enumeration of such tax expenditures.

(4) The term "concurrent resolution on the budget" means—

(A) a concurrent resolution setting forth the congressional budget for the United States Government for a fiscal year as provided in section 632 of this title; and

(B) any other concurrent resolution revising the congressional budget for the United States Government for a fiscal year as described in section 635 of this title.

(5) The term "appropriation Act" means an Act referred to in section 105 of title 1.

(6) The term 'annual budget Act' means an Act itemizing all Federal budget authority and revenue through the contributions of the appropriations committees and each other committee receiving allocations under section 302(a).

~~(76)~~ The term "deficit" means, with respect to a fiscal year, the amount by which outlays exceeds ² receipts during that year.

~~(87)~~ The term "surplus" means, with respect to a fiscal year, the amount by which receipts exceeds ² outlays during that year.

~~(98)~~ The term "government-sponsored enterprise" means a corporate entity created by a law of the United States that—

(A)(i) has a Federal charter authorized by law;

(ii) is privately owned, as evidenced by capital stock owned by private entities or individuals;

(iii) is under the direction of a board of directors, a majority of which is elected by private owners;

(iv) is a financial institution with power to—

(I) make loans or loan guarantees for limited purposes such as to provide credit for specific borrowers or one sector; and

(II) raise funds by borrowing (which does not carry the full faith and credit of the Federal Government) or to guarantee the debt of others in unlimited amounts; and

(B)(i) does not exercise powers that are reserved to the Government as sovereign (such as the power to tax or to regulate interstate commerce);

(ii) does not have the power to commit the Government financially (but it may be a recipient of a loan guarantee commitment made by the Government); and

(iii) has employees whose salaries and expenses are paid by the enterprise and are not Federal employees subject to title 5.

(109) The term "entitlement authority" means—

(A) the authority to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing that authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by that law; and

(B) the food stamp program.

(1140) The term "credit authority" means authority to incur direct loan obligations or to incur primary loan guarantee commitments.

(1244) The terms "emergency" and "unanticipated" have the meanings given to such terms in section 900(c) of this title.

(Pub. L. 93–344, §3, July 12, 1974, 88 Stat. 299; Aug. 1, 1946, ch. 724, title I, §302(c), as added Pub. L. 95–110, §1, Sept. 20, 1977, 91 Stat. 884, renumbered title I, Pub. L. 102–486, title IX, §902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 99–177, title II, §§201(a), 232(b), Dec. 12, 1985, 99 Stat. 1039, 1062; Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100–119, title I, §106(a), Sept. 29, 1987, 101 Stat. 780; Pub. L. 100–203, title VIII, §8003(c), Dec. 22, 1987, 101 Stat. 1330–282; Pub. L. 101–508, title XIII, §§13112(a)(2), 13201(b)(1), 13211(a), Nov. 5, 1990, 104 Stat. 1388–607, 1388–614, 1388–620; Pub. L. 105–33, title X, §10101, Aug. 5, 1997, 111 Stat. 678; Pub. L. 112–25, title I, §105(b), Aug. 2, 2011, 125 Stat. 247.)

§623. Continuing study of additional budget reform proposals

(a) The Committees on the Budget of the House of Representatives and the Senate shall study on a continuing basis proposals designed to improve and facilitate methods of congressional budgetmaking. The proposals to be studied shall include, but are not limited to, proposals for—

(1) improving the information base required for determining the effectiveness of new programs by such means as pilot testing, survey research, and other experimental and analytical techniques;

(2) improving analytical and systematic evaluation of the effectiveness of existing programs;

(3) establishing maximum and minimum time limitations for program authorization; and

(4) developing techniques of human resource accounting and other means of providing noneconomic as well as economic evaluation measures.

(b) The Committee on the Budget of each House shall, from time to time, report to its House the results of the study carried on by it under subsection (a), together with its recommendations.

(c) Nothing in this section shall preclude studies to improve the budgetary process by any other committee of the House of Representatives or the Senate or any joint committee of the Congress.

(Pub. L. 93–344, title VII, §703, July 12, 1974, 88 Stat. 326.)

SUBCHAPTER I—CONGRESSIONAL BUDGET PROCESS

§631. Timetable

The timetable with respect to the congressional budget process for any fiscal year is as follows:

<u>On or before:</u>	<u>Action to be completed:</u>
First Monday in February	President submits his budget <u>Congress the budget request of the President.</u>
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	<u>Committees submit spending and revenue line items and any recommendations to Committees on the Budget. Annual appropriation bills may be considered in the House.</u>
June 10	<u>House Budget Committee reports annual budget Act. House Appropriations Committee reports last annual appropriation bill.</u>
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills <u>budget Act.</u>
October 1	Fiscal year begins.

(Pub. L. 93-344, title III, §300, July 12, 1974, 88 Stat. 306; Pub. L. 99-177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1040; Pub. L. 101-508, title XIII, §13112(a)(4), Nov. 5, 1990, 104 Stat. 1388-608; Pub. L. 105-33, title X, §10104(a), Aug. 5, 1997, 111 Stat. 679.)

§632. Annual adoption of concurrent resolution on the budget

(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—

- (1) totals of new budget authority and outlays;
- (2) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;
- (3) the surplus or deficit in the budget;
- (4) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to paragraph (1);
- (5) the public debt;

(6) for purposes of Senate enforcement under this subchapter, outlays of the old-age, survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C. 401 et seq.] for the fiscal year of the resolution and for each of the 4 succeeding fiscal years; and

(7) for purposes of Senate enforcement under this subchapter, 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 [26 U.S.C. 1 et seq.]) for the fiscal year of the resolution and for each of the 4 succeeding fiscal years.

The concurrent ~~resolution shall not~~ resolution shall 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- and the related~~ provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or subsection and in any other surplus or deficit totals required by this subchapter.

If a concurrent resolution on the budget is not adopted by April 15, the Chair of the Committee on the Budget of each House of Congress shall report to their House baseline levels for all amounts required under this subsection within 3 legislative days, and such baseline levels shall apply in such House as though they were included in a concurrent resolution on the budget.

(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 [15 U.S.C. 1022a(b)] should be achieved;

(2) include reconciliation directives described in section 641 of this title;

(3) require a procedure under which all or certain bills or resolutions providing new budget authority or new entitlement authority for such fiscal year shall not be enrolled until the Congress has completed action on the annual budget Act or on any reconciliation bill or reconciliation resolution or both required by such concurrent resolution to be reported in accordance with section 641(b) of this title;

(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) has increased or would increase in each of the relevant fiscal years;

(6) include a heading entitled "Display of Federal Retirement Trust Fund Balances" in which the concurrent resolution shall set forth the balances of the Federal retirement trust funds;

(7) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution;

(8) set forth procedures to effectuate pay-as-you-go in the House of Representatives; and

(9) set forth direct loan obligation and primary loan guarantee commitment levels.

(c) Consideration of procedures or matters which have effect of changing any rule of House

If the Committee on the Budget of the House of Representatives reports any concurrent resolution on the budget which includes any procedure or matter which has the effect of

changing any rule of the House of Representatives, such concurrent resolution shall then be referred to the Committee on Rules with instructions to report it within five calendar days (not counting any day on which the House is not in session). The Committee on Rules shall have jurisdiction to report any concurrent resolution referred to it under this paragraph with an amendment or amendments changing or striking out any such procedure or matter.

(d) Views and estimates of other committees

Within 6 weeks after the President submits a budget under section 1105(a) of title 31, or at such time as may be requested by the Committee on the Budget, each committee of the House of Representatives having legislative jurisdiction shall submit to the Committee on the Budget of the House and each committee of the Senate having legislative jurisdiction shall submit to the Committee on the Budget of the Senate its views and estimates (as determined by the committee making such submission) with respect to all matters set forth in subsections (a) and (b) which relate to matters within the jurisdiction or functions of such ~~committee~~ committee, including baseline spending projections by budget account of policies within the jurisdiction of such committee and a description of any changes such committee expects to recommend for the annual budget Act. The Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives shall each submit to the Committee on the Budget of its House a revenue statement, a tax expenditure budget, and a description of any changes such committee expects to recommend for the annual budget Act. The Joint Economic Committee shall submit to the Committees on the Budget of both Houses its recommendations as to the fiscal policy appropriate to the goals of the Employment Act of 1946 [15 U.S.C. 1021 et seq.]. Any other committee of the House of Representatives or the Senate may submit to the Committee on the Budget of its House, and any joint committee of the Congress may submit to the Committees on the Budget of both Houses, its views and estimates with respect to all matters set forth in subsections (a) and (b) which relate to matters within its jurisdiction or functions. Any Committee ¹ 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.

(e) Hearings and report

(1) In general

In developing the concurrent resolution on the budget referred to in subsection (a) for each fiscal year, the Committee on the Budget of each House shall hold hearings and shall receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as the committee deems desirable. Each of the recommendations as to short-term and medium-term goals set forth in the report submitted by the members of the Joint Economic Committee under subsection (d) may be considered by the Committee on the Budget of each House as part of its consideration of such concurrent resolution, and its report may reflect its views thereon, including its views on how the estimates of revenues and levels of budget authority and outlays set forth in such concurrent resolution are designed to achieve any goals it is recommending.

(2) Required contents of report

The report accompanying the resolution shall include—

(A) a comparison of the levels of total new budget authority, total outlays, total revenues, and the surplus or deficit for each fiscal year set forth in the resolution with those requested in the budget submitted by the President;

(B) with respect to each major functional category, an estimate of total new budget authority and total outlays, with the estimates divided between discretionary and mandatory amounts;

(C) the economic assumptions that underlie each of the matters set forth in the resolution and any alternative economic assumptions and objectives the committee considered;

(D) information, data, and comparisons indicating the manner in which, and the basis on which, the committee determined each of the matters set forth in the resolution;

(E) the estimated levels of tax expenditures (the tax expenditures budget) by major items and functional categories for the President's budget and in the resolution; ~~and~~

(F) allocations described in section 633(a) of this title; and
(G) a line-item budget that compiles baseline spending and revenue projections for the budget year.

(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 [15 U.S.C. 1022a(c)], the President recommends in the Economic Report that the goals for reducing unemployment set forth in section 4(b) of such Act [15 U.S.C. 1022a(b)] be achieved in a year after the close of the five-year period prescribed by such subsection, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(2) After the Congress has expressed its opinion pursuant to paragraph (1) as to the year in which the goals for reducing unemployment set forth in section 4(b) of the Employment Act of 1946 [15 U.S.C. 1022a(b)] can be achieved, if, pursuant to section 4(e) of such Act [15 U.S.C. 1022a(e)], the President recommends in the Economic Report that such goals be achieved in a year which is different from the year in which the Congress has expressed its opinion that such goals should be achieved, either in its action pursuant to paragraph (1) or in its most recent action pursuant to this paragraph, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(3) It shall be in order to amend the provision of such resolution setting forth such year only if the amendment thereto also proposes to alter the estimates, amounts, and levels (as described in subsection (a)) set forth in such resolution in germane fashion in order to be consistent with the economic goals (as described in sections 3(a)(2) and 4(b) of the Employment Act of 1946

[15 U.S.C. 1022(a)(2), 1022a(b)] which such amendment proposes can be achieved by the year specified in such amendment.

(g) Economic assumptions

(1) It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or any amendment thereto, or any conference report thereon, that sets forth amounts and levels that are determined on the basis of more than one set of economic and technical assumptions.

(2) The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall set forth the common economic assumptions upon which such joint statement and conference report are based, or upon which any amendment contained in the joint explanatory statement to be proposed by the conferees in the case of technical disagreement, is based.

(3) Subject to periodic reestimation based on changed economic conditions or technical estimates, determinations under titles III and IV of the Congressional Budget Act of 1974 [2 U.S.C. 631 et seq., 651 et seq.] shall be based upon such common economic and technical assumptions.

(h) Budget Committee's consultation with committees

The Committee on the Budget of the House of Representatives shall consult with the committees of its House having legislative jurisdiction during the preparation, consideration, and enforcement of the concurrent resolution on the budget with respect to all matters which relate to the jurisdiction or functions of such committees.

(i) Social security point of order

It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the excess of social security revenues over social security outlays in any of the fiscal years covered by the concurrent resolution. No change in chapter 1 of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.] shall be treated as affecting the amount of social security revenues unless such provision changes the income tax treatment of social security benefits.

(Pub. L. 93-344, title III, §301, July 12, 1974, 88 Stat. 306; Pub. L. 95-523, title III, §§303(a), 304, Oct. 27, 1978, 92 Stat. 1905, 1906; Pub. L. 99-177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1040; Pub. L. 100-119, title I, §106(d), title II, §208(a), Sept. 29, 1987, 101 Stat. 781, 786; Pub. L. 100-418, title V, §5302, Aug. 23, 1988, 102 Stat. 1462; Pub. L. 101-508, title XIII, §§13112(a)(5), 13203, 13204, 13301(b), 13303(a), (b), Nov. 5, 1990, 104 Stat. 1388-608, 1388-615, 1388-616, 1388-623, 1388-625; Pub. L. 104-4, title I, §102(2), Mar. 22, 1995, 109 Stat. 62; Pub. L. 105-33, title X, §10105(a)-(f)(1), Aug. 5, 1997, 111 Stat. 679, 680; Pub. L. 113-67, div. A, title I, §122(1), (2), Dec. 26, 2013, 127 Stat. 1175.)

¹ So in original. Probably should not be capitalized.

§633. Committee allocations

(a) Committee spending allocations

(1) Allocation among committees

The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include an allocation, consistent with the resolution recommended in the conference report, of the levels for the first fiscal year of the resolution,

for at least each of the ensuing 4 fiscal years, and a total for that period of fiscal years (except in the case of the Committee on Appropriations only for the fiscal year of that resolution) of—

- (A) total new budget authority; and
- (B) total outlays;

among each committee of the House of Representatives or the Senate that has jurisdiction over legislation providing or creating such amounts.

(2) No double counting

In the House of Representatives, any item allocated to one committee may not be allocated to another committee.

(3) Further division of amounts

(A) In the Senate

In the Senate, the amount allocated to the Committee on Appropriations shall be further divided among the categories specified in section 900(c)(4) of this title and shall not exceed the limits for each category set forth in section 901(c) of this title.

(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 900(c)(4) of this title.

(4) Amounts not allocated

In the House of Representatives or the Senate, if a committee receives no allocation of new budget authority or outlays, that committee shall be deemed to have received an allocation equal to zero for new budget authority or outlays.

(5) Adjusting allocation of discretionary spending in the House of Representatives

(A) If a concurrent resolution on the budget is not adopted by April 15, the chairman of the Committee on the Budget of the House of Representatives shall submit to the House, as soon as practicable, an allocation under paragraph (1) to the Committee on Appropriations consistent with ~~the discretionary spending levels in the most recently agreed to concurrent resolution on the budget for the appropriate fiscal year covered by that resolution~~ the baseline levels reported under section 301(a) for the budget year.

(B) As soon as practicable after an allocation under paragraph (1) is submitted under this section, the Committee on Appropriations shall make suballocations and report those suballocations to the House of Representatives.

(b) Suballocations by Appropriations Committees

As soon as practicable after a concurrent resolution on the budget is agreed to, the Committee on Appropriations of each House (after consulting with the Committee on Appropriations of the other House) shall suballocate each amount allocated to it for the budget year under subsection (a) among its subcommittees. Each Committee on Appropriations shall promptly report to its House suballocations made or revised under this subsection. The Committee on Appropriations of the House of Representatives shall further divide among its subcommittees the divisions made under subsection (a)(3)(B) and promptly report those divisions to the House.

(c) Point of order

After the Committee on Appropriations has received an allocation pursuant to subsection (a) for a fiscal year, it shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report within the jurisdiction of that committee providing new budget authority for that fiscal year, until that committee makes the suballocations required by subsection (b).

(d) Committees Submit Line Items and Proposals.—

(1) IN GENERAL.—Each committee to which an allocation is made under this section other than the Committee on Appropriations of a House shall—

(A) compile—

(i) direct spending and revenue projections for budget accounts within its jurisdiction, which shall include the effect of any recommended changes described in clause (ii); and

(ii) legislation to effect any recommended changes to policies within its jurisdiction; and

(B) submit to the Committee on the Budget of its House, for inclusion in the annual budget Act, spending and revenue line items and legislation to effect such recommended changes.

(2) LEGISLATIVE CHANGES.—Recommended changes described in paragraph (1)(A)(ii) should produce a change in outlays or revenues, including changes in outlays and revenues brought about by changes in the terms and conditions under which outlays are made or revenue are required to be collected.

(3) INCONSISTENT SUBMISSIONS.—If any submission under this subsection is inconsistent with the requirements of the concurrent resolution on the budget, the Committee on the Budget shall return the submission to the originating committee.

(ed) Subsequent concurrent resolutions

In the case of a concurrent resolution on the budget referred to in section 635 of this title, the allocations under subsection (a) and the subdivisions under subsection (b) shall be required only to the extent necessary to take into account revisions made in the most recently agreed to concurrent resolution on the budget.

(fe) Alteration of allocations

At any time after a committee reports the allocations required to be made under subsection (b), such committee may report to its House an alteration of such allocations. Any alteration of such allocations must be consistent with any actions already taken by its House on legislation within the committee's jurisdiction.

(gf) Legislation subject to point of order**(1) In the House of Representatives**

After the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, or amendment providing new budget authority for any fiscal year, or any conference report on any such bill or joint resolution, if—

- (A) the enactment of such bill or resolution as reported;
- (B) the adoption and enactment of such amendment; or
- (C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the applicable allocation of new budget authority made under subsection (a) or (b) for the first fiscal year or the total of fiscal years to be exceeded.

(2) In the Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause—

- (A) in the case of any committee except the Committee on Appropriations, the applicable allocation of new budget authority or outlays under subsection (a) for the first fiscal year or the total of fiscal years to be exceeded; or
- (B) in the case of the Committee on Appropriations, the applicable suballocation of new budget authority or outlays under subsection (b) to be exceeded.

(hg) Pay-as-you-go exception in the House

(1) In general

(A) Subsection ~~(f)(1)~~(g)(1) and, after April 15, section 634(a) of this title 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 632(b)(8) of this title, if included in that concurrent resolution.

(B) Section 642(a) of this title, as that section applies to revenues, shall not apply to any bill, joint resolution, amendment thereto, or conference report thereon if, for each fiscal year covered by the most recently agreed to concurrent resolution on the budget—

- (i) the enactment of that bill or resolution as reported;
- (ii) the adoption and enactment of that amendment; or
- (iii) the enactment of that bill or resolution in the form recommended in that conference report,

would not increase the deficit, and, if the sum of any outlay reductions provided in legislation already enacted during the current session (when added to outlay reductions, if any, in excess of any revenue reduction provided by the legislation proposed for consideration) is at least as great as the sum of the amount, if any, by which the aggregate level of Federal outlays should be reduced as required by that concurrent resolution and the amount, if any, by which outlays are to be reduced pursuant to pay-as-you-go procedures under section 632(b)(8) of this title, if included in that concurrent resolution.

(2) Revised allocations

(A) As soon as practicable after Congress agrees to a bill or joint resolution that would have been subject to a point of order under subsection ~~(f)(1)~~(g)(1) but for the exception provided in paragraph (1)(A) or would have been subject to a point of order under section 642(a) of this title but for the exception provided in paragraph (1)(B), the chairman of the Committee on the Budget of the House of Representatives shall file with the House appropriately revised allocations under subsection (a) and revised functional levels and budget aggregates to reflect that bill.

(B) Such revised allocations, functional levels, and budget aggregates shall be considered for the purposes of this Act as allocations, functional levels, and budget aggregates contained in the most recently agreed to concurrent resolution on the budget.

(Pub. L. 93–344, title III, §302, July 12, 1974, 88 Stat. 308; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1044; Pub. L. 101–508, title XIII, §§13112(a)(6), (7), 13201(b)(2), (3), 13207(a)(1)(A), (B), (2), 13303(c), Nov. 5, 1990, 104 Stat. 1388–608, 1388-614, 1388-617, 1388-618, 1388-625; Pub. L. 105–33, title X, §10106, Aug. 5, 1997, 111 Stat. 680; Pub. L. 113–67, div. A, title I, §122(3), Dec. 26, 2013, 127 Stat. 1175.)

§634. Concurrent resolution on the budget must be adopted before budget-related legislation is considered

(a) In general

Until the concurrent resolution on the budget for a fiscal year has been agreed to, it shall not be in order in the House of Representatives, with respect to the first fiscal year covered by that resolution, ~~or the Senate and 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 House

In the House of Representatives, subsection (a) does not apply—

(1)(A) to any bill or joint resolution, as reported, providing advance discretionary new budget authority that first becomes available for the first or second fiscal year after the budget year; or

(B) to any bill or joint resolution, as reported, first increasing or decreasing revenues in a fiscal year following the fiscal year to which the concurrent resolution applies;

(2) after May 15, to ~~any general appropriation bill or amendment thereto~~ the annual budget Act or amendment thereto; or

(3) to any bill or joint resolution unless it is reported by a committee.

(c) Application to appropriation measures in Senate

(1) In general

Until the concurrent resolution on the budget for a fiscal year has been agreed to ~~and or~~ an allocation has been made to the Committee on Appropriations of the Senate under section 633(a) of this title 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~~ the annual budget Act, any amendment or motion thereto, or any 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.

(Pub. L. 93-344, title III, §303, July 12, 1974, 88 Stat. 309; Pub. L. 99-177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1046; Pub. L. 101-508, title XIII, §§13205, 13207(a)(1)(C), Nov. 5, 1990, 104 Stat. 1388-616, 1388-617; Pub. L. 105-33, title X, §10107(a), Aug. 5, 1997, 111 Stat. 683.)

§635. Permissible revisions of concurrent resolutions on the budget

At any time after the concurrent resolution on the budget for a fiscal year has been agreed to pursuant to section 632 of this title, and before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to.

(Pub. L. 93-344, title III, §304, July 12, 1974, 88 Stat. 310; Pub. L. 99-177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1047; Pub. L. 100-119, title II, §208(b), Sept. 29, 1987, 101 Stat. 786; Pub. L. 101-508, title XIII, §13112(a)(8), Nov. 5, 1990, 104 Stat. 1388-608; Pub. L. 105-33, title X, §10108, Aug. 5, 1997, 111 Stat. 684.)

§636. Provisions relating to consideration of concurrent resolutions on the budget

(a) Procedure in House after report of Committee; debate

(1) When a concurrent resolution on the budget has been reported by the Committee on the Budget of the House of Representatives and has been referred to the appropriate calendar of the House, it shall be in order on any day thereafter, subject to clause 4 of rule XIII of the Rules of the House of Representatives, to move to proceed to the consideration of the concurrent resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) General debate on any concurrent resolution on the budget in the House of Representatives shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority parties, plus such additional hours of debate as are consumed pursuant to paragraph (3). A motion further to limit debate is not debatable. A motion to recommit the concurrent resolution is not in order, and it is not in order to move to reconsider the vote by which the concurrent resolution is agreed to or disagreed to.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the House, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Only if a concurrent resolution on the budget reported by the Committee on the Budget of the House sets forth the economic goals (as described in sections 1022(a)(2) and 1022a(b) of title 15) which the estimates, amounts, and levels (as described in section 632(a) of this title) 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) Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be considered for amendment under the five-minute rule in accordance with the applicable provisions of rule XVIII of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to adopt an amendment (or a series of amendments) changing any figure or figures in the resolution as so reported to the extent necessary to achieve mathematical consistency.

(6) Debate in the House of Representatives on the conference report on any concurrent resolution on the budget shall be limited to not more than 5 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(7) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any concurrent resolution on the budget shall be decided without debate.

(b) Procedure in Senate after report of Committee; debate; amendments

(1) Debate in the Senate on any concurrent resolution on the budget, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours, except that with respect to any concurrent resolution referred to in section 635 of this title all such debate shall be limited to not more than 15 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a concurrent resolution on the budget shall be limited to 2 hours, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, and debate on any amendment to an amendment, debatable motion, or appeal shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of such concurrent resolution shall be received. Such leaders, or either of them, may, from the time under their control on the passage of the concurrent resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the Senate, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Subject to the other limitations of this Act, only if a concurrent resolution on the budget reported by the Committee on the Budget of the Senate sets forth the economic goals (as described in sections 1022(a)(2) and 1022a(b) of title 15) which the estimates, amounts, and levels (as described in section 632(a) of this title) set forth in such resolution are designed to achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not

counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.

(6) Notwithstanding any other rule, an amendment or series of amendments to a concurrent resolution on the budget proposed in the Senate shall always be in order if such amendment or series of amendments proposes to change any figure or figures then contained in such concurrent resolution so as to make such concurrent resolution mathematically consistent or so as to maintain such consistency.

(c) Action on conference reports in Senate

(1) A motion to proceed to the consideration of the conference report on any concurrent resolution on the budget (or a reconciliation bill or resolution) may be made even though a previous motion to the same effect has been disagreed to.

(2) During the consideration in the Senate of the conference report (or a message between Houses) on any concurrent resolution on the budget, and all amendments in disagreement, and all amendments thereto, and debatable motions and appeals in connection therewith, debate shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(3) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to one-half hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(4) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(d) Concurrent resolution must be consistent in Senate

It shall not be in order in the Senate to vote on the question of agreeing to—

(1) a concurrent resolution on the budget unless the figures then contained in such resolution are mathematically consistent; or

(2) a conference report on a concurrent resolution on the budget unless the figures contained in such resolution, as recommended in such conference report, are mathematically consistent.

(Pub. L. 93–344, title III, §305, July 12, 1974, 88 Stat. 310; Pub. L. 95–523, title III, §303(b), (c), Oct. 27, 1978, 92 Stat. 1905, 1906; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1047; Pub. L. 100–119, title II, §209, Sept. 29, 1987, 101 Stat. 787; Pub. L. 100–203, title VIII, §8003(d), Dec. 22, 1987, 101 Stat. 1330–282; Pub. L. 101–508, title XIII, §§13209, 13210(1), Nov. 5, 1990, 104 Stat. 1388–619, 1388–620; Pub. L. 105–33, title X, §10109(a), Aug. 5, 1997, 111 Stat. 684; Pub. L. 113–67, div. A, title I, §122(4)–(6), Dec. 26, 2013, 127 Stat. 1175.)

§637. Legislation dealing with Congressional budget must be handled by Budget Committees

(a) In the Senate

In the Senate, no bill, resolution, amendment, motion, or conference report, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or resolution.

(b) In the House of Representatives

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

(Pub. L. 93–344, title III, §306, July 12, 1974, 88 Stat. 313; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1050; Pub. L. 101–508, title XIII, §13207(a)(1)(D), Nov. 5, 1990, 104 Stat. 1388–617; Pub. L. 113–67, div. A, title I, §122(7), Dec. 26, 2013, 127 Stat. 1175.)

§638. ~~House committee action on all appropriation bills to be completed by June 10~~ House committee action on the annual budget Act to be completed by June 10

~~On or before June 10 of each year, the Committee on Appropriations of the House of Representatives shall report annual appropriation bills providing new budget authority under the jurisdiction of all of its subcommittees for the fiscal year which begins on October 1 of that year.~~

~~(a) On or before June 10 of each year, the Committee on the Budget of the House of Representatives shall report the annual budget act, which shall include, without substantive revision—~~

~~(1) New budget authority under the jurisdiction of all subcommittees of the House Appropriations Committee for the fiscal year, which begins on October 1 of that year; and~~

~~(2) All line items and any recommended changes submitted by each other committee of the House with jurisdiction over spending or revenue policies.~~

~~(a)(b) If 1 or more committees of the House fails to submit the legislation described in subsection (a), the Committee on the Budget of the House shall include baseline line items with respect to matters within the jurisdiction of each committee that failed to submit line items.~~

(Pub. L. 93–344, title III, §307, July 12, 1974, 88 Stat. 313; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1051.)

§639. Reports, summaries, and projections of Congressional budget actions

(a) Legislation providing new budget authority or providing increase or decrease in revenues or tax expenditures

(1) Whenever a committee of either House reports to its House a bill or joint resolution, or committee amendment thereto, providing new budget authority (other than continuing appropriations) or providing an increase or decrease in revenues or tax expenditures for a fiscal

year (or fiscal years), the report accompanying that bill or joint resolution shall contain a statement, or the committee shall make available such a statement in the case of an approved committee amendment which is not reported to its House, prepared after consultation with the Director of the Congressional Budget Office—

(A) comparing the levels in such measure to the appropriate allocations in the reports submitted under section 633(b) of this title for the most recently agreed to concurrent resolution on the budget for such fiscal year (or fiscal years);

(B) containing a projection by the Congressional Budget Office of how such measure will affect the levels of such budget authority, budget outlays, revenues, or tax expenditures under existing law for such fiscal year (or fiscal years) and each of the four ensuing fiscal years, if timely submitted before such report is filed; and

(C) containing an estimate by the Congressional Budget Office of the level of new budget authority for assistance to State and local governments provided by such measure, if timely submitted before such report is filed.

(2) Whenever a conference report is filed in either House and such conference report or any amendment reported in disagreement or any amendment contained in the joint statement of managers to be proposed by the conferees in the case of technical disagreement on such bill or joint resolution provides new budget authority (other than continuing appropriations) or provides an increase or decrease in revenues for a fiscal year (or fiscal years), the statement of managers accompanying such conference report shall contain the information described in paragraph (1), if available on a timely basis. If such information is not available when the conference report is filed, the committee shall make such information available to Members as soon as practicable prior to the consideration of such conference report.

(3) CBO paygo estimates.—

(A) The Chairs of the Committees on the Budget of the House and Senate, as applicable, shall request from the Director of the Congressional Budget Office an estimate of the budgetary effects of PAYGO legislation.

(B) Estimates shall be prepared using baseline estimates supplied by the Congressional Budget Office, consistent with section 907 of this title.

(C) The Director shall not count timing shifts, as that term is defined at section 932(8) of this title, in estimates of the budgetary effects of PAYGO Legislation.

(b) Up-to-date tabulations of Congressional budget action

(1) The Director of the Congressional Budget Office shall issue to the committees of the House of Representatives and the Senate reports on at least a monthly basis detailing and tabulating the progress of congressional action on bills and joint resolutions providing new budget authority or providing an increase or decrease in revenues or tax expenditures for each fiscal year covered by a concurrent resolution on the budget. Such reports shall include but are not limited to an up-to-date tabulation comparing the appropriate aggregate and functional levels (including outlays) included in the most recently adopted concurrent resolution on the budget with the levels provided in bills and joint resolutions reported by committees or adopted by either House or by the Congress, and with the levels provided by law for the fiscal year preceding the first fiscal year covered by the appropriate concurrent resolution.

(2) The Committee on the Budget of each House shall make available to Members of its House summary budget scorekeeping reports. Such reports—

(A) shall be made available on at least a monthly basis, but in any case frequently enough to provide Members of each House an accurate representation of the current status of congressional consideration of the budget;

(B) shall include, but are not limited to, summaries of tabulations provided under subsection (b)(1); and

(C) shall be based on information provided under subsection (b)(1) without substantive revision.

The chairman of the Committee on the Budget of the House of Representatives shall submit such reports to the Speaker.

(c) Five-year projection of Congressional budget action

As soon as practicable after the beginning of each fiscal year, the Director of the Congressional Budget Office shall issue a report projecting for the period of 5 fiscal years beginning with such fiscal year—

- (1) total new budget authority and total budget outlays for each fiscal year in such period;
- (2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period;
- (3) tax expenditures for each fiscal year in such period; and
- (4) entitlement authority for each fiscal year in such period.

(d) Scorekeeping guidelines

Estimates under this section shall be provided in accordance with the scorekeeping guidelines determined under section 902(d)(5) of this title.

(Pub. L. 93–344, title III, §308, July 12, 1974, 88 Stat. 313; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1051; Pub. L. 101–508, title XIII, §13206, Nov. 5, 1990, 104 Stat. 1388–617; Pub. L. 105–33, title X, §10110, Aug. 5, 1997, 111 Stat. 685; Pub. L. 111–139, title I, §4(b), Feb. 12, 2010, 124 Stat. 11; Pub. L. 113–67, div. A, title I, §122(8), Dec. 26, 2013, 127 Stat. 1175.)

§640. House approval of regular appropriation bills House approval of annual budget Act

~~It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has approved annual appropriation bills providing new budget authority under the jurisdiction of all the subcommittees of the Committee on Appropriations for the fiscal year beginning on October 1 of such year. For purposes of this section, the chairman of the Committee on Appropriations of the House of Representatives shall periodically advise the Speaker as to changes in jurisdiction among its various subcommittees.~~

- (a) It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has approved the annual budget Act—
- (1) Providing new budget authority under the jurisdiction of all the subcommittees of the Committee on Appropriations for the fiscal year beginning on October 1 of such year;
and
 - (2) Which shall include—
 - (A) all line-item levels;
 - (B) any recommended changes submitted by each committee of the House of Representatives with jurisdiction over direct spending or revenue policies; and
 - (C) any further changes agreed to during consideration on the floor of the House of Representatives.
- (b) For purposes of this section, the chair of the Committee on Appropriations of the House of Representatives shall periodically advise the Speaker as to changes in jurisdiction among its various subcommittees.

(Pub. L. 93–344, title III, §309, July 12, 1974, 88 Stat. 314; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1052.)

§641. Reconciliation

(a) Inclusion of reconciliation directives in concurrent resolutions on the budget

A concurrent resolution on the budget for any fiscal year, to the extent necessary to effectuate the provisions and requirements of such resolution, shall—

- (1) specify the total amount by which—
 - (A) new budget authority for such fiscal year;
 - (B) budget authority initially provided for prior fiscal years;
 - (C) new entitlement authority which is to become effective during such fiscal year; and
 - (D) credit authority for such fiscal year,

contained in laws, bills, and resolutions within the jurisdiction of a committee, is to be changed and direct that committee to determine and recommend changes to accomplish a change of such total amount;

- (2) specify the total amount by which revenues are to be changed and direct that the committees having jurisdiction to determine and recommend changes in the revenue laws, bills, and resolutions to accomplish a change of such total amount;
- (3) specify the amounts by which the statutory limit on the public debt is to be changed and direct the committee having jurisdiction to recommend such change; or
- (4) specify and direct any combination of the matters described in paragraphs (1), (2), and (3) (including a direction to achieve deficit reduction).

(b) Legislative procedure

If a concurrent resolution containing directives to one or more committees to determine and recommend changes in laws, bills, or resolutions is agreed to in accordance with subsection (a), and—

- (1) only one committee of the House or the Senate is directed to determine and recommend changes, that committee shall promptly make such determination and recommendations and report to its House reconciliation legislation containing such recommendations; or
- (2) more than one committee of the House or the Senate is directed to determine and recommend changes, each such committee so directed shall promptly make such determination and recommendations and submit such recommendations to the Committee on the Budget of its House, which, upon receiving all such recommendations, shall report to its House reconciliation legislation carrying out all such recommendations without any substantive revision.

For purposes of this subsection, a reconciliation resolution is a concurrent resolution directing the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be, to make specified changes in bills and resolutions which have not been enrolled.

(c) Compliance with reconciliation directions

(1) Any committee of the House of Representatives or the Senate that is directed, pursuant to a concurrent resolution on the budget, to determine and recommend changes of the type described in paragraphs (1) and (2) of subsection (a) with respect to laws within its jurisdiction, shall be deemed to have complied with such directions—

- (A) if—
 - (i) the amount of the changes of the type described in paragraph (1) of such subsection recommended by such committee do not exceed or fall below the amount of the changes

such committee was directed by such concurrent resolution to recommend under that paragraph by more than—

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

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

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

(B) if the total amount of the changes recommended by such committee is not less than the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection.

(2)(A) Upon the reporting to the Committee on the Budget of the Senate of a recommendation that shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of that committee may file with the Senate appropriately revised allocations under section 633(a) of this title and revised functional levels and aggregates to carry out this subsection.

(B) Upon the submission to the Senate of a conference report recommending a reconciliation bill or resolution in which a committee shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 633(a) of this title and revised functional levels and aggregates to carry out this subsection.

(C) Allocations, functional levels, and aggregates revised pursuant to this paragraph shall be considered to be allocations, functional levels, and aggregates contained in the concurrent resolution on the budget pursuant to section 632 of this title.

(D) Upon the filing of revised allocations pursuant to this paragraph, the reporting committee shall report revised allocations pursuant to section 633(b) of this title to carry out this subsection.

(d) Limitation on amendments to reconciliation bills and resolutions

(1) It shall not be in order in the House of Representatives to consider any amendment to a reconciliation bill or reconciliation resolution if such amendment would have the effect of increasing any specific budget outlays above the level of such outlays provided in the bill or resolution (for the fiscal years covered by the reconciliation instructions set forth in the most recently agreed to concurrent resolution on the budget), or would have the effect of reducing any specific Federal revenues below the level of such revenues provided in the bill or resolution (for such fiscal years), unless such amendment makes at least an equivalent reduction in other specific budget outlays, an equivalent increase in other specific Federal revenues, or an equivalent combination thereof (for such fiscal years), except that a motion to strike a provision providing new budget authority or new entitlement authority may be in order.

(2) It shall not be in order in the Senate to consider any amendment to a reconciliation bill or reconciliation resolution if such amendment would have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided (for the fiscal years covered) in the reconciliation instructions which relate to such bill or resolution set forth in a resolution providing for reconciliation, or would have the effect of reducing Federal revenue increases below the level of such revenue increases provided (for such fiscal years) in such instructions relating to such bill or resolution, unless such amendment makes a reduction in other specific budget outlays, an increase in other specific Federal revenues, or a combination thereof (for such fiscal years) at least equivalent to any increase in outlays or decrease in revenues provided by such amendment, except that a motion to strike a provision shall always be in order.

(3) Paragraphs (1) and (2) shall not apply if a declaration of war by the Congress is in effect.

(4) For purposes of this section, the levels of budget outlays and Federal revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or of the Senate, as the case may be.

(5) The Committee on Rules of the House of Representatives may make in order amendments to achieve changes specified by reconciliation directives contained in a concurrent resolution on the budget if a committee or committees of the House fail to submit recommended changes to its Committee on the Budget pursuant to its instruction.

(e) Procedure in Senate

- (1) Except as provided in paragraph (2), the provisions of section 636 of this title for the consideration in the Senate of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration in the Senate of reconciliation bills reported under subsection (b) and conference reports thereon.
- (2) Debate in the Senate on any reconciliation bill reported under subsection (b), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours.

(f) Completion of reconciliation process

It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has completed action on the reconciliation legislation for the fiscal year beginning on October 1 of the calendar year to which the adjournment resolution pertains, if reconciliation legislation is required to be reported by the concurrent resolution on the budget for such fiscal year.

(g) Limitation on changes to Social Security Act

Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider any reconciliation bill or reconciliation resolution reported pursuant to a concurrent resolution on the budget agreed to under section 632 or 635 of this title, or a joint resolution pursuant to section 907d of this title, or any amendment thereto or conference report thereon, that contains recommendations with respect to the old-age, survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C. 401 et seq.].

(Pub. L. 93–344, title III, §310, July 12, 1974, 88 Stat. 315; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1053; Pub. L. 101–508, title XIII, §§13112(a)(9), 13207(c), (d), 13210(2), Nov. 5, 1990, 104 Stat. 1388–608, 1388-618 to 1388-620; Pub. L. 105–33, title X, §10111, Aug. 5, 1997, 111 Stat. 685; Pub. L. 113–67, div. A, title I, §122(9), Dec. 26, 2013, 127 Stat. 1175.)

§642. Budget-related legislation must be within appropriate levels

(a) Enforcement of budget aggregates

(1) In House of Representatives

Except as provided by subsection (c), after the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report providing new budget authority or reducing revenues, if—

- (A) the enactment of that bill or resolution as reported;
- (B) the adoption and enactment of that amendment; or
- (C) the enactment of that bill or resolution in the form recommended in that conference report;

would cause the level of total new budget authority or total outlays set forth in the applicable concurrent resolution on the budget for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues set forth in that concurrent resolution for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided under section 633(a) of this title, except when a declaration of war by the Congress is in effect.

(2) In Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that—

- (A) would cause the level of total new budget authority or total outlays set forth for the first fiscal year in the applicable resolution to be exceeded; or
- (B) would cause revenues to be less than the level of total revenues set forth for that first fiscal year or for the total of that first fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 633(a) of this title.

(3) Enforcement of social security levels in Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in social security surpluses or an increase in social security deficits relative to the levels set forth in the applicable resolution for the first fiscal year or for the total of that fiscal year and the ensuing fiscal years for which allocations are provided under section 633(a) of this title.

(b) Social security levels

(1) In general

For purposes of subsection (a)(3), social security surpluses equal the excess of social security revenues over social security outlays in a fiscal year or years with such an excess and social security deficits equal the excess of social security outlays over social security revenues in a fiscal year or years with such an excess.

(2) Tax treatment

For purposes of subsection (a)(3), no provision of any legislation involving a change in chapter 1 of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.] shall be treated as affecting the amount of social security revenues or outlays unless that provision changes the income tax treatment of social security benefits.

(c) Exception in House of Representatives

Subsection (a)(1) shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

- (1) the enactment of that bill or resolution as reported;
- (2) the adoption and enactment of that amendment; or
- (3) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 633(a) of this title for that fiscal year to be exceeded.

(Pub. L. 93–344, title III, §311, July 12, 1974, 88 Stat. 316; Pub. L. 99–177, title II, §201(b), Dec. 12, 1985, 99 Stat. 1055; Pub. L. 100–119, title I, §106(e)(1), Sept. 29, 1987, 101 Stat. 781; Pub. L. 101–508, title XIII, §§13112(a)(10), 13207(a)(1)(E), 13303(d), Nov. 5, 1990, 104 Stat. 1388–608, 1388–617, 1388–626; Pub. L. 105–33, title X, §10112(a), Aug. 5, 1997, 111 Stat. 686.)

§643. Determinations and points of order

(a) Budget Committee determinations

For purposes of this subchapter and subchapter II, the levels of new budget authority, outlays, direct spending, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or the Senate, as applicable.

(b) Discretionary spending point of order in Senate

(1) In general

Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would exceed any of the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 901(c)].

(2) Exceptions

This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 907a] has been enacted.

(c) Maximum deficit amount point of order in Senate

It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or to consider any amendment to that concurrent resolution, or to consider a conference report on that concurrent resolution, if—

- (1) the level of total outlays for the first fiscal year set forth in that concurrent resolution or conference report exceeds; or
- (2) the adoption of that amendment would result in a level of total outlays for that fiscal year that exceeds;

the recommended level of Federal revenues for that fiscal year, by an amount that is greater than the maximum deficit amount, if any, specified in the Balanced Budget and Emergency Deficit Control Act of 1985 for that fiscal year.

(d) Timing of points of order in Senate

A point of order under this Act may not be raised against a bill, resolution, amendment, motion, or conference report while an amendment or motion, the adoption of which would remedy the violation of this Act, is pending before the Senate.

(e) Points of order in Senate against amendments between Houses

Each provision of this Act that establishes a point of order against an amendment also establishes a point of order in the Senate against an amendment between the Houses. If a point of order under this Act is raised in the Senate against an amendment between the Houses and the point of order is sustained, the effect shall be the same as if the Senate had disagreed to the amendment.

(f) Effect of point of order in Senate

In the Senate, if a point of order under this Act against a bill or resolution is sustained, the Presiding Officer shall then commit or recommit the bill or resolution to the committee of appropriate jurisdiction for further consideration.

(Pub. L. 93–344, title III, §312, as added [Pub. L. 101–508, title XIII, §13207\(b\)\(1\), Nov. 5, 1990, 104 Stat. 1388–618](#); amended [Pub. L. 105–33, title X, §10113\(a\), Aug. 5, 1997, 111 Stat. 687.](#))

§644. Extraneous matter in reconciliation legislation

(a) In general

When the Senate is considering a reconciliation bill or a reconciliation resolution pursuant to section 641 of this title (whether that bill or resolution originated in the Senate or the House) or section 907d of this title, 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 641 of this title shall be considered extraneous if such provision does not produce a change in outlays or revenues, 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 641(g) of this title.

(2) A Senate-originated provision shall not be considered extraneous under paragraph (1)(A) if the Chairman and Ranking Minority Member of the Committee on the Budget and the Chairman and Ranking Minority Member of the Committee which reported the provision certify that: (A) the provision mitigates direct effects clearly attributable to a provision changing outlays or revenues 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 641 of this title in the Senate, and again upon the submission of a conference report on such a reconciliation bill or resolution, the Committee on the Budget of the Senate shall submit for the record a list of material considered to be extraneous under subsections (b)(1)(A), (b)(1)(B), and (b)(1)(E) of this section to the instructions of a committee as provided in this section. The inclusion or exclusion of a provision shall not constitute a determination of extraneousness by the Presiding Officer of the Senate.

(d) Conference reports

When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a reconciliation bill or reconciliation resolution pursuant to section 641 of this title, upon—

- (1) a point of order being made by any Senator against extraneous material meeting the definition of subsections (b)(1)(A), (b)(1)(B), (b)(1)(D), (b)(1)(E), or (b)(1)(F), and
- (2) such point of order being sustained,

such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed, without intervening action or motion, to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable for two hours. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(e) General point of order

Notwithstanding any other law or rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or

conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provisions of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(Pub. L. 93–344, title III, §313, formerly [Pub. L. 99–272, title XX, §20001, Apr. 7, 1986, 100 Stat. 390](#), as amended [Pub. L. 99–509, title VII, §7006, Oct. 21, 1986, 100 Stat. 1949](#); [Pub. L. 100–119, title II, §205\(a\), \(b\), Sept. 29, 1987, 101 Stat. 784](#); renumbered §313 of Pub. L. 93–344 and amended [Pub. L. 101–508, title XIII, §13214\(a\)–\(b\)\(4\), Nov. 5, 1990, 104 Stat. 1388–621, 1388–622](#); [Pub. L. 105–33, title X, §10113\(b\)\(1\), Aug. 5, 1997, 111 Stat. 688](#).)

§645. Adjustments

(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 may make appropriate budgetary adjustments of new budget authority and the outlays flowing therefrom in the same amount as required by section 901(b) of this title.

(b) Application of adjustments

The adjustments made pursuant to subsection (a) for legislation shall—

- (1) apply while that legislation is under consideration;
- (2) take effect upon the enactment of that legislation; and
- (3) be published in the Congressional Record as soon as practicable.

(c) Reporting revised suballocations

Following any adjustment made under subsection (a), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations under section 633(b) of this title to carry out this section.

(d) Emergencies in the House of Representatives

(1) In the House of Representatives, if a reported bill or joint resolution, or amendment thereto or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue, and a designation of such provision as an emergency requirement pursuant to 901(b)(2)(A) ¹ of this title, the chair of the Committee on the Budget of the House of Representatives shall not count the budgetary effects of such provision for purposes of this subchapter and subchapter II and the Rules of the House of Representatives.

(2)(A) In the House of Representatives, a proposal to strike a designation under paragraph (1) shall be excluded from an evaluation of budgetary effects for purposes of this subchapter and subchapter II and the Rules of the House of Representatives.

(B) An amendment offered under subparagraph (A) that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required

to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

(e) Senate point of order against an emergency designation

(1) In general

When the Senate is considering a bill, resolution, amendment, motion, amendment between the Houses, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) Supermajority waiver and appeals

(A) Waiver

Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) Appeals

Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) Definition of an emergency designation

For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item pursuant to section 901(b)(2)(A)(i) of this title.

(4) Form of the point of order

A point of order under paragraph (1) may be raised by a Senator as provided in section 644(e) of this title.

(5) Conference reports

When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) Enforcement of discretionary spending caps

It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause the discretionary spending limits as set forth in section 901 of this title to be exceeded.

(g) Adjustment for reemployment services and eligibility assessments

(1) In general

(A) Adjustments

If the Committee on ~~Appropriations-the Budget~~ of either House reports ~~an appropriation measure~~ an annual budget Act for any of fiscal years 2022 through 2027 that provides budget authority for grants under section 506 of title 42, 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 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).

(B) Types of adjustments

The adjustments referred to in this subparagraph consist of adjustments to—

- (i) the discretionary spending limits for that fiscal year as set forth in the most recently adopted concurrent resolution on the budget;
- (ii) the allocations to the Committees on Appropriations of the Senate and the House of Representatives for that fiscal year under section 633(a) of this title; and
- (iii) the appropriate budget aggregates for that fiscal year in the most recently adopted concurrent resolution on the budget.

(C) Enforcement

The adjusted discretionary spending limits, allocations, and aggregates under this paragraph shall be considered the appropriate limits, allocations, and aggregates for purposes of congressional enforcement of this Act and concurrent budget resolutions under this Act.

(D) Limitation

No adjustment may be made under this subsection in excess of—

- (i) for fiscal year 2022, \$133,000,000;
- (ii) for fiscal year 2023, \$258,000,000;
- (iii) for fiscal year 2024, \$433,000,000;
- (iv) for fiscal year 2025, \$533,000,000;
- (v) for fiscal year 2026, \$608,000,000; and
- (vi) for fiscal year 2027, \$633,000,000.

(E) Definition

As used in this subsection, the term "additional new budget authority" means the amount provided for a fiscal year, in excess of \$117,000,000, in an appropriation measure or conference report (as the case may be) and specified to pay for grants to States under section 506 of title 42.

(2) Report on 633(b) level

Following any adjustment made under paragraph (1), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to section 633(b) of this title to carry out this subsection.

(Pub. L. 93–344, title III, §314, as added Pub. L. 105–33, title X, §10114(a), Aug. 5, 1997, 111 Stat. 688; amended Pub. L. 105–89, title II, §201(b)(2), Nov. 19, 1997, 111 Stat. 2125; Pub. L. 112–25, title I, §105(a), Aug. 2, 2011, 125 Stat. 246; Pub. L. 112–78, title V, §511, Dec. 23, 2011, 125 Stat. 1291; Pub. L. 113–67, div. A, title I, §122(10), Dec. 26, 2013, 127 Stat. 1176; Pub. L. 115–123, div. C, title II, §30206(d), Feb. 9, 2018, 132 Stat. 131.)

§645a. Effect of adoption of special order of business in House of Representatives

For purposes of a reported bill or joint resolution considered in the House of Representatives pursuant to a special order of business, the term "as reported" in this subchapter or subchapter II shall be considered to refer to the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be. In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 634 of this title shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

(Pub. L. 93–344, title III, §315, as added [Pub. L. 105–33, title X, §10115\(a\), Aug. 5, 1997, 111 Stat. 690](#); amended [Pub. L. 113–67, div. A, title I, §122\(11\), Dec. 26, 2013, 127 Stat. 1176](#).)

SUBCHAPTER II—FISCAL PROCEDURES

Part A—General Provisions

§651. Budget-related legislation not subject to appropriations

(a) Controls on certain budget-related legislation not subject to appropriations

It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides—

- (1) new authority to enter into contracts under which the United States is obligated to make outlays;
- (2) new authority to incur indebtedness (other than indebtedness incurred under chapter 31 of title 31) for the repayment of which the United States is liable; or
- (3) new credit authority;

unless that bill, joint resolution, amendment, motion, or conference report also provides that the new authority is to be effective for any fiscal year only to the extent or in the amounts provided in advance in [an annual budget Act appropriation Acts](#).

(b) Legislation providing new entitlement authority

(1) Point of order.—It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides new entitlement authority that is to become effective during the current fiscal year.

(2) If any committee of the House of Representatives or the Senate reports any bill or resolution which provides new entitlement authority which is to become effective during a fiscal year and the amount of new budget authority which will be required for such fiscal year if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported under section 633(a) of this title in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be

referred to the Committee on Appropriations of the Senate or may then be referred to the Committee on Appropriations of the House, as the case may be, with instructions to report it, with the committee's recommendations, within 15 calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations of either House fails to report a bill or resolution referred to it under this paragraph within such 15-day period, the committee shall automatically be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the appropriate calendar.

(3) The Committee on Appropriations of each House shall have jurisdiction to report any bill or resolution referred to it under paragraph (2) with an amendment which limits the total amount of new spending authority provided in such bill or resolution.

(c) Exceptions

(1) Subsections (a) and (b) shall not apply to new authority described in those subsections if outlays from that new authority will flow—

(A) from a trust fund established by the Social Security Act (as in effect on July 12, 1974) [42 U.S.C. 301 et seq.]; or

(B) from any other trust fund, 90 percent or more of the receipts of which consist or will consist of amounts (transferred from the general fund of the Treasury) equivalent to amounts of taxes (related to the purposes for which such outlays are or will be made) received in the Treasury under specified provisions of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.].

(2) Subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that—

(A) the outlays resulting therefrom are made by an organization which is (i) a mixed-ownership Government corporation (as defined in section 9101(2) of title 31), or (ii) a wholly owned Government corporation (as defined in section 9101(3) of title 31) which is specifically exempted by law from compliance with any or all of the provisions of chapter 91 of title 31, as of December 12, 1985; or

(B) the outlays resulting therefrom consist exclusively of the proceeds of gifts or bequests made to the United States for a specific purpose.

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

(Pub. L. 93–344, title IV, §401, July 12, 1974, 88 Stat. 317; Pub. L. 99–177, title II, §211, Dec. 12, 1985, 99 Stat. 1056; Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 101–508, title XIII, §13207(a)(1)(F), (G), Nov. 5, 1990, 104 Stat. 1388–617, 1388-618; Pub. L. 105–33, title X, §10116(a)(1)–(5), Aug. 5, 1997, 111 Stat. 690, 691; Pub. L. 113–67, div. A, title I, §122(12), (13), Dec. 26, 2013, 127 Stat. 1176.)

§652. Repealed. Pub. L. 105–33, title X, §10116(b), Aug. 5, 1997, 111 Stat. 692

Section, Pub. L. 93–344, title IV, §402, July 12, 1974, 88 Stat. 318; Pub. L. 99–177, title II, §212, Dec. 12, 1985, 99 Stat. 1058; Pub. L. 101–508, title XIII, §13207(a)(1)(H), Nov. 5, 1990, 104 Stat. 1388–618, related to legislation providing new credit authority.

§653. Analysis by Congressional Budget Office

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)~~ and for each submission by a committee of a House of Congress to the Committee on the Budget of its House of recommended direct spending or revenue changes to be included under section 302(d) in an annual budget Act, and submit to such committee—

- (1) an estimate of the costs which would be incurred in carrying out such bill or resolution in the fiscal year in which it is to become effective and in each of the 4 fiscal years following such fiscal year, together with the basis for each such estimate;
- (2) a comparison of the estimates of costs described in paragraph (1) with any available estimates of costs made by such committee or by any Federal agency; and
- (3) a description of each method for establishing a Federal financial commitment contained in such bill or resolution.

The estimates, comparison, and description so submitted shall be included in the report accompanying such bill or resolution if timely submitted to such committee before such report is filed.

(Pub. L. 93–344, title IV, §402, formerly §403, July 12, 1974, 88 Stat. 320; Pub. L. 97–108, §2(a), Dec. 23, 1981, 95 Stat. 1510; Pub. L. 99–177, title II, §213, Dec. 12, 1985, 99 Stat. 1059; Pub. L. 104–4, title I, §104, Mar. 22, 1995, 109 Stat. 62; renumbered §402, Pub. L. 105–33, title X, §10116(c)(1), Aug. 5, 1997, 111 Stat. 692.)

§654. Study by Government Accountability Office of forms of Federal financial commitment not reviewed annually by Congress

The Government Accountability Office shall study those provisions of law which provide mandatory spending and report to the Congress its recommendations for the appropriate form of financing for activities or programs financed by such provisions not later than eighteen months after December 12, 1985. Such report shall be revised from time to time.

(Pub. L. 93–344, title IV, §404, formerly §405, as added Pub. L. 99–177, title II, §214, Dec. 12, 1985, 99 Stat. 1059; renumbered §404 and amended Pub. L. 105–33, title X, §10116(c)(1), (2), Aug. 5, 1997, 111 Stat. 692; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814.)

§655. Off-budget agencies, programs, and activities

(a) Notwithstanding any other provision of law, budget authority, credit authority, and estimates of outlays and receipts for activities of the Federal budget which are off-budget ~~immediately prior to December 12, 1985, not including activities of the Federal Old Age and Survivors Insurance and Federal Disability Insurance Trust Funds,~~ shall be included in a budget submitted pursuant to section 1105 of title 31 and in a concurrent resolution on the budget reported pursuant to section 632 or section 635 of this title and shall be considered, for purposes of this Act, budget authority, outlays, and spending authority in accordance with definitions set forth in this Act.

(b) All receipts and disbursements of the Federal Financing Bank with respect to any obligations which are issued, sold, or guaranteed by a Federal agency shall be treated as a means of financing such agency for purposes of section 1105 of title 31 and for purposes of this Act.

(Pub. L. 93–344, title IV, §405, formerly §406, as added Pub. L. 99–177, title II, §214, Dec. 12, 1985, 99 Stat. 1059; renumbered §405, Pub. L. 105–33, title X, §10116(c)(1), Aug. 5, 1997, 111 Stat. 692.)

§656. Member User Group

The Speaker of the House of Representatives, after consulting with the Minority Leader of the House, may appoint a Member User Group for the purpose of reviewing budgetary scorekeeping rules and practices of the House and advising the Speaker from time to time on the effect and impact of such rules and practices.

(Pub. L. 93–344, title IV, §406, formerly §407, as added Pub. L. 99–177, title II, §214, Dec. 12, 1985, 99 Stat. 1060; renumbered §406, Pub. L. 105–33, title X, §10116(c)(1), Aug. 5, 1997, 111 Stat. 692.)

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

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

...

§907d. Special reconciliation process

(a) Reporting of resolutions and reconciliation bills and resolutions, in Senate

(1) Committee alternatives to Presidential order

After the submission of an OMB sequestration update report under section 904 of this title that envisions a sequestration under section 902 or 903 of this title, each standing committee of the Senate may, not later than October 10, submit to the Committee on the Budget of the Senate information of the type described in section 632(d) of this title with respect to alternatives to the order envisioned by such report insofar as such order affects laws within the jurisdiction of the committee.

(2) Initial Budget Committee action

After the submission of such a report, the Committee on the Budget of the Senate may, not later than October 15, report to the Senate a resolution. The resolution may affirm the impact of the order envisioned by such report, in whole or in part. To the extent that any part is not affirmed, the resolution shall state which parts are not affirmed and shall contain instructions to committees of the Senate of the type referred to in section 641(a) of this title, sufficient to achieve at least the total level of deficit reduction contained in those sections which are not affirmed.

(3) Response of committees

Committees instructed pursuant to paragraph (2), or affected thereby, shall submit their responses to the Budget Committee no later than 10 days after the resolution referred to in paragraph (2) is agreed to, except that if only one such Committee is so instructed such Committee shall, by the same date, report to the Senate a reconciliation bill or reconciliation resolution containing its recommendations in response to such instructions. A committee shall be considered to have complied with all instructions to it pursuant to a resolution adopted under paragraph (2) if it has made recommendations with respect to matters within its

jurisdiction which would result in a reduction in the deficit at least equal to the total reduction directed by such instructions.

(4) Budget Committee action

Upon receipt of the recommendations received in response to a resolution referred to in paragraph (2), the Budget Committee shall report to the Senate a reconciliation bill or reconciliation resolution, or both, carrying out all such recommendations without any substantive revisions. In the event that a committee instructed in a resolution referred to in paragraph (2) fails to submit any recommendation (or, when only one committee is instructed, fails to report a reconciliation bill or resolution) in response to such instructions, the Budget Committee shall include in the reconciliation bill or reconciliation resolution reported pursuant to this subparagraph legislative language within the jurisdiction of the noncomplying committee to achieve the amount of deficit reduction directed in such instructions.

(5) Point of order

It shall not be in order in the Senate to consider any reconciliation bill or reconciliation resolution reported under paragraph (4) with respect to a fiscal year, any amendment thereto, or any conference report thereon if—

- (A) the enactment of such bill or resolution as reported;
- (B) the adoption and enactment of such amendment; or
- (C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the amount of the deficit for such fiscal year to exceed the maximum deficit amount for such fiscal year, unless the low-growth report submitted under section 904 of this title projects negative real economic growth for such fiscal year, or for each of any two consecutive quarters during such fiscal year.

(6) Treatment of certain amendments

In the Senate, an amendment which adds to a resolution reported under paragraph (2) an instruction of the type referred to in such paragraph shall be in order during the consideration of such resolution if such amendment would be in order but for the fact that it would be held to be non-germane on the basis that the instruction constitutes new matter.

(7) "Day" defined

For purposes of paragraphs (1), (2), and (3), the term "day" shall mean any calendar day on which the Senate is in session.

(b) Procedures

(1) In general

Except as provided in paragraph (2), in the Senate the provisions of sections 636 and 641 of this title for the consideration of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration of resolutions, and reconciliation bills and reconciliation resolutions reported under this paragraph and conference reports thereon.

(2) Limit on debate

Debate in the Senate on any resolution reported pursuant to subsection (a)(2), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to 10 hours.

(3) Limitation on amendments

Section 641(d)(2) of this title shall apply to reconciliation bills and reconciliation resolutions reported under this subsection.

(4) Bills and resolutions received from the House

Any bill or resolution received in the Senate from the House, which is a companion to a reconciliation bill or reconciliation resolution of the Senate for the purposes of this subsection, shall be considered in the Senate pursuant to the provisions of this subsection.

(5) "Resolution" defined

For purposes of this subsection, the term "resolution" means a simple, joint, or concurrent resolution.

(Pub. L. 99–177, title II, §258C, as added Pub. L. 101–508, title XIII, §13101(g), Nov. 5, 1990, 104 Stat. 1388–600.)