

Suspend the Rules and Pass the Bill, HR. 2693, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

112TH CONGRESS
1ST SESSION

H. R. 2693

To cut spending, maintain existing commitments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2011

Mr. DREIER introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committees on the Budget, Energy and Commerce, Education and the Workforce, Ways and Means, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To cut spending, maintain existing commitments, and for other purposes.

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

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Budget Control Act of 2011”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—DISCRETIONARY SPENDING CAPS AND ENFORCEMENT

Sec. 101. Discretionary spending limits.

Sec. 102. Senate budget enforcement.

TITLE II—OTHER SPENDING CUTS

Subtitle A—Federal Pell Grant and Student Loan Program Changes

Sec. 211. Federal Pell Grant and student loan program changes.

Subtitle B—Farm Programs

Sec. 221. Definition of payment acres.

TITLE III—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 301. Establishment of Joint Select Committee.

Sec. 302. Expedited consideration of joint committee recommendations.

Sec. 303. Funding.

Sec. 304. Rulemaking.

TITLE IV—DEBT CEILING DISAPPROVAL PROCESS

Sec. 401. Debt ceiling disapproval process.

1 **TITLE I—DISCRETIONARY**
2 **SPENDING CAPS AND EN-**
3 **FORCEMENT**

4 **SEC. 101. DISCRETIONARY SPENDING LIMITS.**

5 (a) POINT OF ORDER.—It shall not be in order in
6 the House of Representatives or the Senate to consider
7 any bill, resolution, amendment, motion or conference re-
8 port that includes any provision that would cause the dis-
9 cretionary spending limits as set forth in this section to
10 be exceeded.

11 (b) LIMITS.—

12 (1) IN GENERAL.—In this section, the term
13 “discretionary spending limits” has the following

1 meaning subject to adjustments in paragraph (2)
2 and subsection (c):

3 (A) For fiscal year 2012—

4 (i) for the security category
5 \$606,000,000,000 in budget authority; and

6 (ii) for the nonsecurity category
7 \$439,000,000,000 in budget authority.

8 (B) For fiscal year 2013—

9 (i) for the security category
10 \$607,000,000,000 in budget authority; and

11 (ii) for the nonsecurity category
12 \$440,000,000,000 in budget authority.

13 (C) For fiscal year 2014, for the discre-
14 tionary category, \$1,068,000,000,000 in budget
15 authority.

16 (D) For fiscal year 2015, for the discre-
17 tionary category, \$1,089,000,000,000 in budget
18 authority.

19 (E) For fiscal year 2016, for the discre-
20 tionary category, \$1,111,000,000,000 in budget
21 authority.

22 (F) For fiscal year 2017, for the discre-
23 tionary category, \$1,134,000,000,000 in budget
24 authority.

1 (G) For fiscal year 2018, for the discre-
2 tionary category, \$1,156,000,000,000 in budget
3 authority.

4 (H) For fiscal year 2019, for the discre-
5 tionary category, \$1,180,000,000,000 in budget
6 authority.

7 (I) For fiscal year 2020, for the discre-
8 tionary category, \$1,203,000,000,000 in budget
9 authority.

10 (J) For fiscal year 2021, for the discre-
11 tionary category, \$1,227,000,000,000 in budget
12 authority.

13 (2) AUTHORIZED ADJUSTMENT TO LIMITS.—

14 (A) ADJUSTMENTS FOR BUDGET SUBMIS-
15 SION.—When the President submits a budget
16 under section 1105 of title 31, United States
17 Code, OMB shall calculate and the budget shall
18 include adjustments to discretionary spending
19 limits (and those limits as cumulatively ad-
20 justed) for the budget year and each out year
21 equal to the baseline levels of new budget au-
22 thority using up-to-date concepts and defini-
23 tions minus those levels using the concepts and
24 definitions in effect before such changes. Such
25 changes may only be made after consultation

1 with the committees on Appropriations and the
2 Budget of the House of Representatives and the
3 Senate and that consultation shall include writ-
4 ten communication to such committees that af-
5 fords such committees the opportunity to com-
6 ment before official action is taken with respect
7 to such changes.

8 (B) ADJUSTMENTS FOR CONGRESSIONAL
9 ENFORCEMENT.—For the purposes of Congres-
10 sional enforcement of the limits in this section,
11 the Chairmen of the Committees on the Budget
12 of the Senate and House of Representatives
13 may adjust the discretionary spending limits in
14 amounts equal to the adjustments made pursu-
15 ant to subparagraph (A) as contained in the
16 President’s budget. Any adjustment made pur-
17 suant to this subparagraph shall not constitute
18 a repeal or change to the limits contained in
19 this section.

20 (c) ESTIMATES AND OTHER ADJUSTMENTS.—

21 (1) IN GENERAL.—

22 (A) LIMITS AND SUBALLOCATIONS FOR
23 CONGRESSIONAL ENFORCEMENT.—After the re-
24 porting of a bill or joint resolution relating to
25 any matter described in paragraph (2), (3), or

1 (4), or the offering of an amendment thereto or
2 the submission of a conference report thereon—

3 (i) for the purposes of enforcement of
4 the discretionary spending limits in the
5 Senate and the House of Representatives,
6 the Chairman of the Committee on the
7 Budget of that House may adjust the dis-
8 cretionary spending limits in this section,
9 the budgetary aggregates in the concurrent
10 resolution on the budget most recently
11 adopted by the Senate and the House of
12 Representatives, and allocations pursuant
13 to section 302(a) of the Congressional
14 Budget Act of 1974, by the amount of new
15 budget authority in that measure for that
16 purpose; and

17 (ii) following any adjustment under
18 clause (i), the Committee on Appropria-
19 tions of that House may report appro-
20 priately revised suballocations pursuant to
21 section 302(b) of the Congressional Budget
22 Act of 1974 to carry out this subsection.

23 (B) OTHER ADJUSTMENTS.—For the pur-
24 poses of determining an end of the year seques-
25 ter pursuant to subsection (f), when OMB sub-

1 mits a sequestration report under subsection
2 (f)(7) for a fiscal year, OMB shall calculate,
3 and the sequestration report and subsequent
4 budgets submitted by the President under sec-
5 tion 1105(a) of title 31, United States Code,
6 shall include, adjustments to discretionary
7 spending limits (and those limits as adjusted)
8 for the fiscal year and each succeeding year
9 through 2021 upon the enactment of a bill or
10 resolution relating to any matter described in
11 paragraphs (2), (3), or (4).

12 (C) ESTIMATES.—

13 (i) CBO ESTIMATES.—As soon as
14 practicable after Congress completes action
15 on any discretionary appropriation, CBO,
16 after consultation with the Committees on
17 the Budget of the House of Representa-
18 tives and the Senate, shall provide OMB
19 with an estimate of the amount of discre-
20 tionary new budget authority for the cur-
21 rent year (if any) and the budget year pro-
22 vided by that legislation.

23 (ii) OMB ESTIMATES AND EXPLA-
24 NATION OF DIFFERENCES.—

1 (I) IN GENERAL.—Not later than
2 7 calendar days (excluding Saturdays,
3 Sundays, and legal holidays) after the
4 date of enactment of any discretionary
5 appropriation, OMB shall make pub-
6 licly available on the day it is issued
7 and, on the following day, shall be
8 printed in the Federal Register a re-
9 port containing the CBO estimate of
10 that legislation, an OMB estimate of
11 the amount of discretionary new
12 budget authority for the current year
13 (if any) and the budget year provided
14 by that legislation, and an explanation
15 of any difference between the 2 esti-
16 mates.

17 (II) DIFFERENCES.—If during
18 the preparation of the report OMB
19 determines that there is a significant
20 difference between OMB and CBO,
21 OMB shall consult with the Commit-
22 tees on the Budget of the House of
23 Representatives and the Senate re-
24 garding that difference and that con-
25 sultation shall include, to the extent

1 practicable, written communication to
2 those committees that affords such
3 committees the opportunity to com-
4 ment before the issuance of the re-
5 port.

6 (D) ASSUMPTIONS AND GUIDELINES.—
7 OMB estimates under subparagraph (C) shall
8 be made using current economic and technical
9 assumptions. In its final sequestration report,
10 OMB shall use the OMB estimates transmitted
11 to the Congress under this paragraph. OMB
12 and CBO shall prepare estimates under this
13 paragraph in conformance with scorekeeping
14 guidelines determined after consultation among
15 the House and Senate Committees on the
16 Budget, CBO, and OMB.

17 (E) ANNUAL APPROPRIATIONS.—For pur-
18 poses of this paragraph, amounts provided by
19 annual appropriations shall include any new
20 budget authority for the current year (if any)
21 and the advance appropriations that become
22 available in the budget year from previously en-
23 acted legislation.

24 (2) OTHER ADJUSTMENTS.—Other adjustments
25 referred to in paragraph (1)(B) are as follows:

1 (A) CONTINUING DISABILITY REVIEWS
2 AND SSI REDETERMINATIONS.—

3 (i) IN GENERAL.—If a bill or joint
4 resolution is reported making appropria-
5 tions in a fiscal year of the first amount
6 specified in subclauses (I) through (X) of
7 clause (ii) for that fiscal year for con-
8 tinuing disability reviews and Supple-
9 mental Security Income redeterminations
10 under the heading “Limitation on Admin-
11 istrative Expenses” for the Social Security
12 Administration, and provides an additional
13 appropriation for continuing disability re-
14 views and Supplemental Security Income
15 redeterminations for the Social Security
16 Administration, or one or more initiatives
17 that the Office of the Chief Actuary deter-
18 mines would be at least as cost effective as
19 a redetermination of eligibility under the
20 heading “Limitation on Administrative Ex-
21 penses” for the Social Security Adminis-
22 tration of up to an amount further speci-
23 fied in that subclause, then the discre-
24 tionary spending limits, allocation to the
25 Committees on Appropriations of each

1 House, and aggregates for that fiscal year
2 may be adjusted by the amount in budget
3 authority not to exceed the additional ap-
4 propriation provided in such legislation for
5 that purpose for that fiscal year.

6 (ii) AMOUNTS SPECIFIED.—The
7 amounts specified are—

8 (I) for fiscal year 2012, an ap-
9 propriation of \$758,000,000, and an
10 additional appropriation of
11 \$237,000,000;

12 (II) for fiscal year 2013, an ap-
13 propriation of \$758,000,000, and an
14 additional appropriation of
15 \$390,000,000;

16 (III) for fiscal year 2014, an ap-
17 propriation of \$778,000,000, and an
18 additional appropriation of
19 \$559,000,000;

20 (IV) for fiscal year 2015, an ap-
21 propriation of \$799,000,000, and an
22 additional appropriation of
23 \$774,000,000;

24 (V) for fiscal year 2016, an ap-
25 propriation of \$822,000,000, and an

1 additional appropriation of
2 \$778,000,000;

3 (VI) for fiscal year 2017, an ap-
4 propriation of \$849,000,000, and an
5 additional appropriation of
6 \$804,000,000;

7 (VII) for fiscal year 2018, an ap-
8 propriation of \$877,000,000, and an
9 additional appropriation of
10 \$831,000,000;

11 (VIII) for fiscal year 2019, an
12 appropriation of \$906,000,000, and
13 an additional appropriation of
14 \$860,000,000;

15 (IX) for fiscal year 2020, an ap-
16 propriation of \$935,000,000, and an
17 additional appropriation of
18 \$890,000,000; and

19 (X) for fiscal year 2021, an ap-
20 propriation of \$963,000,000, and an
21 additional appropriation of
22 \$924,000,000.

23 (iii) DEFINITIONS.—As used in this
24 subparagraph, the terms “continuing dis-
25 ability reviews” and “Supplemental Secu-

1 rity Income redeterminations” mean con-
2 tinuing disability reviews under titles II
3 and XVI of the Social Security Act and re-
4 determinations of eligibility under title
5 XVI of the Social Security Act.

6 (iv) REPORT.—The Commissioner of
7 Social Security shall provide annually to
8 the Congress a report on continuing dis-
9 ability reviews and Supplemental Security
10 Income redeterminations which includes—

11 (I) the amount spent on con-
12 tinuing disability reviews and Supple-
13 mental Security Income redetermina-
14 tions in the fiscal year covered by the
15 report, and the number of reviews and
16 redeterminations conducted, by cat-
17 egory of review or redetermination;

18 (II) the results of the continuing
19 disability reviews and Supplemental
20 Security Income redeterminations in
21 terms of cessations of benefits or de-
22 terminations of continuing eligibility,
23 by program; and

24 (III) the estimated savings over
25 the short-, medium-, and long-term to

1 the Old-age, Survivors, and Disability
2 Insurance, Supplemental Security In-
3 come, Medicare, and Medicaid pro-
4 grams from continuing disability re-
5 views and Supplemental Security In-
6 come redeterminations which result in
7 cessations of benefits and the esti-
8 mated present value of such savings.

9 (B) INTERNAL REVENUE SERVICE TAX EN-
10 FORCEMENT.—

11 (i) IN GENERAL.—If a bill or joint
12 resolution is reported making appropria-
13 tions in a fiscal year to the Internal Rev-
14 enue Service of not less than the first
15 amount specified in subclauses (I) through
16 (X) of clause (ii) for tax activities for that
17 fiscal year, including tax compliance to ad-
18 dress the Federal tax gap (taxes owed but
19 not paid), and provides an additional ap-
20 propriation for tax activities, including tax
21 compliance activities to address the Fed-
22 eral tax gap, of up to an amount further
23 specified in that subclause, then the discre-
24 tionary spending limits, allocation to the
25 Committees on Appropriations of each

1 House, and aggregates for that fiscal year
2 may be adjusted by the amount in budget
3 authority not to exceed the amount of ad-
4 ditional appropriations for tax activities,
5 including tax compliance to address the
6 Federal tax gap provided in such legisla-
7 tion for that fiscal year.

8 (ii) AMOUNTS SPECIFIED.—The
9 amounts specified are—

10 (I) for fiscal year 2012, an ap-
11 propriation of \$7,979,000,000, and an
12 additional appropriation of
13 \$2,519,000,000 for tax activities, in-
14 cluding tax compliance to address the
15 Federal tax gap;

16 (II) for fiscal year 2013, an ap-
17 propriation of \$7,979,000,000, and an
18 additional appropriation of
19 \$3,132,000,000 for tax activities, in-
20 cluding tax compliance to address the
21 Federal tax gap;

22 (III) for fiscal year 2014, an ap-
23 propriation of \$8,204,000,000, and an
24 additional appropriation of
25 \$3,542,000,000 for tax activities, in-

1 including tax compliance to address the
2 Federal tax gap;

3 (IV) for fiscal year 2015, an ap-
4 propriation of \$8,444,000,000, and an
5 additional appropriation of
6 \$3,975,000,000 for tax activities, in-
7 cluding tax compliance to address the
8 Federal tax gap;

9 (V) for fiscal year 2016, an ap-
10 propriation of \$8,710,000,000, and an
11 additional appropriation of
12 \$4,486,000,000 for tax activities, in-
13 cluding tax compliance to address the
14 Federal tax gap;

15 (VI) for fiscal year 2017, an ap-
16 propriation of \$9,012,000,000, and an
17 additional appropriation of
18 \$4,538,000,000 for tax activities, in-
19 cluding tax compliance to address the
20 Federal tax gap;

21 (VII) for fiscal year 2018, an ap-
22 propriation of \$9,330,000,000, and an
23 additional appropriation of
24 \$4,585,000,000 for tax activities, in-

1 including tax compliance to address the
2 Federal tax gap;

3 (VIII) for fiscal year 2019, an
4 appropriation of \$9,667,000,000, and
5 an additional appropriation of
6 \$4,626,000,000 for tax activities, in-
7 cluding tax compliance to address the
8 Federal tax gap;

9 (IX) for fiscal year 2020, an ap-
10 propriation of \$9,989,000,000, and an
11 additional appropriation of
12 \$4,688,000,000 for tax activities, in-
13 cluding tax compliance to address the
14 Federal tax gap; and

15 (X) for fiscal year 2021, an ap-
16 propriation of \$10,315,000,000, and
17 an additional appropriation of
18 \$4,754,000,000 for tax activities, in-
19 cluding tax compliance to address the
20 Federal tax gap.

21 (iii) DEFINITION.—As used in this
22 subparagraph, the term “additional appro-
23 priation for tax activities, including tax
24 compliance to address the Federal tax
25 gap” means new and continuing invest-

1 ments in expanding and improving the ef-
2 fectiveness and efficiency of the overall tax
3 enforcement and compliance program of
4 the Internal Revenue Service and fully
5 funding operational support activities at
6 the Internal Revenue Service. New and
7 continuing investments include additional
8 resources for implementing new authorities
9 and for conducting additional examina-
10 tions, audits, and enhanced third party
11 data matching.

12 (iv) APPROPRIATION.—The first
13 amount specified in subclauses (I) through
14 (X) of clause (ii) is the amount under one
15 or more headings in an appropriations Act
16 for the Internal Revenue Service that is
17 specified to pay for the costs of tax activi-
18 ties, including tax compliance to address
19 the Federal tax gap.

20 (v) ADDITIONAL AMOUNT.—The
21 amounts further specified in subclauses (I)
22 through (X) of clause (ii) are the amounts
23 under one or more headings in an appro-
24 priations Act for the Internal Revenue
25 Service for the amount of the additional

1 appropriation for tax activities, including
2 tax compliance to address the Federal tax
3 gap, but such adjustment shall be 0 (zero)
4 unless the appropriations Act under the
5 heading “Operations Support” for the In-
6 ternal Revenue Service provides that such
7 sums as are necessary shall be available,
8 under the “Operations Support” heading,
9 to fully support tax enforcement and com-
10 pliance activities.

11 (C) HEALTH CARE FRAUD AND ABUSE
12 CONTROL.—

13 (i) IN GENERAL.—If a bill or joint
14 resolution is reported making appropria-
15 tions in a fiscal year of the first amount
16 specified in subclauses (I) through (X) of
17 clause (ii) for program integrity or fraud
18 and abuse activities under the heading
19 “Health Care Fraud and Abuse Control
20 Account” program for the Department of
21 Health and Human Services for that fiscal
22 year, and provides an additional appropria-
23 tion for program integrity or fraud and
24 abuse activities under the heading “Health
25 Care Fraud and Abuse Control Account”

1 program for the Department of Health and
2 Human Services of up to an amount fur-
3 ther specified that subclause, then the dis-
4 cretionary spending limits, allocation to the
5 Committees on Appropriations of each
6 House, and aggregates for that year may
7 be adjusted in an amount not to exceed the
8 amount in budget authority provided in
9 such legislation for that purpose for that
10 fiscal year.

11 (ii) AMOUNTS SPECIFIED.—The
12 amounts specified are—

13 (I) for fiscal year 2012, an ap-
14 propriation of \$311,000,000, and an
15 additional appropriation of
16 \$270,000,000;

17 (II) for fiscal year 2013, an ap-
18 propriation of \$311,000,000, and an
19 additional appropriation of
20 \$299,000,000;

21 (III) for fiscal year 2014, an ap-
22 propriation of \$326,000,000, and an
23 additional appropriation of
24 \$314,000,000;

1 (IV) for fiscal year 2015, an ap-
2 propriation of \$340,000,000, and an
3 additional appropriation of
4 \$332,000,000;

5 (V) for fiscal year 2016, an ap-
6 propriation of \$356,000,000, and an
7 additional appropriation of
8 \$350,000,000;

9 (VI) for fiscal year 2017, an ap-
10 propriation of \$373,000,000, and an
11 additional appropriation of
12 \$352,000,000;

13 (VII) for fiscal year 2018, an ap-
14 propriation of \$391,000,000, and an
15 additional appropriation of
16 \$354,000,000;

17 (VIII) for fiscal year 2019, an
18 appropriation of \$411,000,000, and
19 an additional appropriation of
20 \$354,000,000;

21 (IX) for fiscal year 2020, an ap-
22 propriation of \$430,000,000, and an
23 additional appropriation of
24 \$356,000,000; and

1 (X) for fiscal year 2021, an ap-
2 propriation of \$451,000,000, and an
3 additional appropriation of
4 \$356,000,000.

5 (iii) DEFINITION.—As used in this
6 subparagraph, the term “program integrity
7 or fraud and abuse activities” means those
8 activities authorized by section 1817(k)(3)
9 of the Social Security Act and other re-
10 lated program integrity activities, including
11 administrative costs, in the Medicare Ad-
12 vantage and the Medicare Prescription
13 Drug Programs authorized in title XVIII
14 of the Social Security Act, in section 1893
15 of the Social Security Act, in Medicaid au-
16 thorized in title XIX of the Social Security
17 Act, and in the Children’s Health Insur-
18 ance Program (“CHIP”) authorized in
19 title XXI of the Social Security Act.

20 (iv) REPORT.—The report required by
21 section 1817(k)(5) of the Social Security
22 Act for each fiscal year shall include meas-
23 ures of the operational efficiency and im-
24 pact on fraud, waste, and abuse in the
25 Medicare, Medicaid, and CHIP programs

1 for the funds provided by an adjustment
2 under this subparagraph.

3 (D) UNEMPLOYMENT INSURANCE IM-
4 PROPER PAYMENT REVIEWS.—

5 (i) IN GENERAL.—If a bill or joint
6 resolution is reported making appropria-
7 tions in a fiscal year of the first amount
8 specified in subclauses (I) through (X) of
9 clause (ii) for in-person reemployment and
10 eligibility assessments and unemployment
11 insurance improper payment reviews under
12 the heading “State Unemployment Insur-
13 ance and Employment Service Operations”
14 for the Department of Labor for that fiscal
15 year, and provides an additional appropria-
16 tion for in-person reemployment and eligi-
17 bility assessments and unemployment in-
18 surance improper payment reviews under
19 the heading “State Unemployment Insur-
20 ance and Employment Service Operations”
21 for the Department of Labor of up to an
22 amount further specified in that subclause,
23 then the discretionary spending limits, allo-
24 cation to the Committees on Appropria-
25 tions of each House, and aggregates for

1 that year may be adjusted by an amount
2 in budget authority not to exceed the addi-
3 tional appropriation provided in such legis-
4 lation for that purpose for that fiscal year.

5 (ii) AMOUNTS SPECIFIED.—The
6 amounts specified are—

7 (I) for fiscal year 2012, an ap-
8 propriation of \$60,000,000, and an
9 additional appropriation of
10 \$10,000,000;

11 (II) for fiscal year 2013, an ap-
12 propriation of \$60,000,000, and an
13 additional appropriation of
14 \$15,000,000;

15 (III) for fiscal year 2014, an ap-
16 propriation of \$61,000,000, and an
17 additional appropriation of
18 \$19,000,000;

19 (IV) for fiscal year 2015, an ap-
20 propriation of \$61,000,000, and an
21 additional appropriation of
22 \$24,000,000;

23 (V) for fiscal year 2016, an ap-
24 propriation of \$62,000,000, and an

1 additional appropriation of
2 \$28,000,000;

3 (VI) for fiscal year 2017, an ap-
4 propriation of \$63,000,000, and an
5 additional appropriation of
6 \$28,000,000;

7 (VII) for fiscal year 2018, an ap-
8 propriation of \$64,000,000, and an
9 additional appropriation of
10 \$29,000,000;

11 (VIII) for fiscal year 2019, an
12 appropriation of \$64,000,000, and an
13 additional appropriation of
14 \$30,000,000;

15 (IX) for fiscal year 2020, an ap-
16 propriation of \$65,000,000, and an
17 additional appropriation of
18 \$31,000,000; and

19 (X) for fiscal year 2021, an ap-
20 propriation of \$66,000,000, and an
21 additional appropriation of
22 \$31,000,000.

23 (iii) DEFINITIONS.—As used in this
24 subparagraph, the terms “in-person reem-
25 ployment and eligibility assessments” and

1 “unemployment improper payment re-
2 views” mean reviews or assessments con-
3 ducted in local workforce offices to deter-
4 mine the continued eligibility of an unem-
5 ployment insurance claimant under the
6 Federal Unemployment Tax Act, title III
7 of the Social Security Act, and applicable
8 State laws, to ensure they are meeting
9 their obligation to search for work as a
10 condition of eligibility, and to speed their
11 return to work.

12 (iv) ADDITIONAL APPROPRIATION.—
13 The amounts further specified in sub-
14 clauses (I) through (X) of clause (ii) are
15 the amounts under the heading “State Un-
16 employment Insurance and Employment
17 Service Operations” for the Department of
18 Labor for the amount of the additional ap-
19 propriation for in-person reemployment
20 and eligibility assessments and unemploy-
21 ment insurance improper payment reviews,
22 but such adjustment shall be 0 (zero) un-
23 less the appropriations Act providing such
24 additional appropriation also provides the
25 full amount requested under the heading

1 “State Unemployment Insurance and Em-
2 ployment Service Operations” for the De-
3 partment of Labor for grants to States for
4 the administration of State unemployment
5 insurance laws in the budget submitted for
6 that fiscal year under section 1105 of title
7 31, United States Code.

8 (3) OVERSEAS DEPLOYMENTS AND RELATED
9 ACTIVITIES.—

10 (A) CAP ADJUSTMENT.—The discretionary
11 spending limits, allocation to the Committees on
12 Appropriations of each House, and aggregates
13 for that year may be adjusted by an amount in
14 budget authority not to exceed the amount pro-
15 vided in such legislation for that purpose for
16 that fiscal year, but not to exceed in aggregate
17 the amounts specified in subparagraph (B) for
18 any—

19 (i) bills reported by the Committees
20 on Appropriations of either House or in
21 the Senate, passed by the House of Rep-
22 resentatives;

23 (ii) joint resolutions or amendments
24 reported by the Committees on Appropria-
25 tions of either House;

1 (iii) amendments between the Houses,
2 Senate amendments to such amendments
3 offered by the authority of the Committee
4 on Appropriations of the Senate, or House
5 amendments to such amendments offered
6 by the authority of the Committee on Ap-
7 propriations in the House of Representa-
8 tives; or

9 (iv) conference reports;
10 making appropriations for overseas deployments
11 and related activities.

12 (B) LEVELS.—

13 (i) LEVELS.—The initial levels for
14 overseas deployments and related activities
15 specified in this subparagraph are as fol-
16 lows:

17 (I) For fiscal year 2012,
18 \$126,544,000,000 in budget author-
19 ity.

20 (II) For the total of fiscal years
21 2013 through 2021,
22 \$450,000,000,000 in budget author-
23 ity.

24 (ii) LEVELS FOR CONGRESSIONAL EN-
25 FORCEMENT.—For each fiscal year after

1 fiscal year 2012, Congress shall adopt in
2 the concurrent resolution on the budget for
3 that fiscal year an adjustment for overseas
4 deployments and related activities, pro-
5 vided that Congress may not adopt an ad-
6 justment for any fiscal year that would
7 cause the total adjustments for fiscal years
8 2013 through 2021 to exceed the amount
9 authorized in clause (i)(II).

10 (iii) ACCOUNTING FOR OVERSEAS DE-
11 PLOYMENT AND RELATED ACTIVITIES.—In
12 any report issued under subsection (f)(7),
13 OMB shall state the total amount of
14 spending on overseas deployments and re-
15 lated activities for fiscal years 2013
16 through 2021 and the estimated amount of
17 budget authority adjustment remaining for
18 that period.

19 (C) ADJUSTMENT FOR OFFSET OVERSEAS
20 DEPLOYMENT COSTS.—The levels set in sub-
21 paragraph (B) may be further adjusted by the
22 amount of budget authority provided in legisla-
23 tion for additional costs associated with over-
24 seas deployments and related activities if the

1 amount of budget authority above those levels is
2 offset.

3 (4) ADJUSTMENTS FOR DISASTER FUNDING.—

4 (A) IN GENERAL.—If, for fiscal years 2011
5 through 2021, appropriations for discretionary
6 accounts are enacted that Congress designates
7 as being for disaster relief in statute, the ad-
8 justment shall be the total of such appropria-
9 tions in discretionary accounts designated as
10 being for disaster relief, but not to exceed the
11 total of—

12 (i) the average funding provided for
13 disasters over the previous 10 years, ex-
14 cluding the highest and lowest years; and

15 (ii) for years when the enacted new
16 discretionary budget authority designated
17 as being for disaster relief for the pre-
18 ceding fiscal year was less than the aver-
19 age as calculated in clause (i) for that fis-
20 cal year, the difference between the en-
21 acted amount and the allowable adjust-
22 ment as calculated in clause (i) for that
23 fiscal year.

24 (B) OMB REPORT.—OMB shall report to
25 the Committees on Appropriations in each

1 House the adjustment for disaster funding for
2 fiscal year 2011, and a preview report of the es-
3 timated level for fiscal year 2012, not later
4 than 30 days after enactment of this Act.

5 (d) LIMITATIONS ON CHANGES TO THIS SECTION.—

6 Unless otherwise specifically provided in this section, it
7 shall not be in order in the Senate or the House of Rep-
8 resentatives to consider any bill, resolution (including a
9 concurrent resolution on the budget), amendment, motion,
10 or conference report that would repeal or otherwise change
11 this section.

12 (e) WAIVER AND APPEAL.—

13 (1) WAIVER.—In the Senate, subsections (a)
14 through (d) shall be waived or suspended only—

15 (A) by the affirmative vote of three-fifths
16 of the Members, duly chosen and sworn; or

17 (B) if the provisions of section (f)(8) are
18 in effect.

19 (2) APPEAL.—Appeals in the Senate from the
20 decisions of the Chair relating to any provision of
21 this section shall be limited to 1 hour, to be equally
22 divided between, and controlled by, the appellant
23 and the manager of the measure. An affirmative
24 vote of three-fifths of the Members of the Senate,
25 duly chosen and sworn, shall be required to sustain

1 an appeal of the ruling of the Chair on a point of
2 order raised under this section.

3 (f) END-OF-YEAR SEQUESTER FOR EXCEEDING DIS-
4 CRETIONARY CAPS.—

5 (1) SEQUESTRATION.—

6 (A) IN GENERAL.—Not later than 14 cal-
7 endar days after the end of a session of Con-
8 gress (excluding weekends and holidays) and on
9 the same day as a sequestration (if any) under
10 section 5 of the Statutory Pay-As-You-Go Act
11 of 2010, there shall be a sequestration to elimi-
12 nate a budget-year breach, if any, within the
13 discretionary categories as set by subsection
14 (b).

15 (B) OVERSEAS DEPLOYMENTS.—Any
16 amount of budget authority for overseas deploy-
17 ments and related activities for fiscal year 2012
18 in excess of the levels set in subsection
19 (c)(3)(B)(i), or for fiscal years 2013 through
20 2021 that would cause the total adjustment for
21 fiscal years 2013 through 2021 to exceed the
22 amount authorized in section (c)(3)(B)(II), that
23 is not otherwise offset pursuant subsection
24 (c)(3)(C)(i), shall be counted in determining
25 whether a breach has occurred—

1 (i) for fiscal years 2012 and 2013, in
2 the security and non-security categories by
3 amounts in the same proportion as the
4 total amount designated in that fiscal year
5 for overseas deployments and related ac-
6 tivities in security and non-security ac-
7 counts, respectively; and

8 (ii) for fiscal years 2014 through
9 2021, in the discretionary category.

10 (C) EMERGENCY SPENDING.—

11 (i) EFFECT OF DESIGNATION IN STAT-
12 UTE.—If, for any fiscal year, appropria-
13 tions for discretionary accounts are en-
14 acted that Congress designates as emer-
15 gency requirements in statute pursuant to
16 this subparagraph, the total of such budget
17 authority in discretionary accounts des-
18 ignated as emergency requirements in all
19 fiscal years from such appropriations shall
20 not be counted in determining whether a
21 breach has occurred, and shall not count
22 for the purposes of Congressional enforce-
23 ment.

24 (ii) DESIGNATION IN THE HOUSE OF
25 REPRESENTATIVES.—If an appropriations

1 Act includes a provision expressly des-
2 ignated as an emergency for the purposes
3 of this section, the Chair shall put the
4 question of consideration with respect
5 thereto.

6 (iii) POINT OF ORDER IN THE SEN-
7 ATE.—

8 (I) IN GENERAL.—When the
9 Senate is considering an appropria-
10 tions Act, if a point of order is made
11 by a Senator against an emergency
12 designation in that measure, the pro-
13 vision making such a designation shall
14 be stricken from the measure and may
15 not be offered as an amendment from
16 the floor.

17 (II) SUPERMAJORITY WAIVER
18 AND APPEALS.—

19 (aa) WAIVER.—Subclause
20 (I) may be waived or suspended
21 in the Senate only by an affirma-
22 tive vote of three-fifths of the
23 Members, duly chosen and sworn.

24 (bb) APPEALS.—Appeals in
25 the Senate from the decisions of

1 the Chair relating to any provi-
2 sion of this subparagraph shall
3 be limited to 1 hour, to be equal-
4 ly divided between, and controlled
5 by, the appellant and the man-
6 ager of the bill or joint resolu-
7 tion, as the case may be. An af-
8 firmative vote of three-fifths of
9 the Members of the Senate, duly
10 chosen and sworn, shall be re-
11 quired to sustain an appeal of
12 the ruling of the Chair on a point
13 of order raised under this sub-
14 paragraph.

15 (III) DEFINITION OF AN EMER-
16 GENCY DESIGNATION.—For purposes
17 of subclause (I), a provision shall be
18 considered an emergency designation
19 if it designates any item as an emer-
20 gency requirement pursuant to this
21 subparagraph.

22 (IV) FORM OF THE POINT OF
23 ORDER.—A point of order under sub-
24 clause (I) may be raised by a Senator

1 as provided in section 313(e) of the
2 Congressional Budget Act of 1974.

3 (V) CONFERENCE REPORTS.—

4 When the Senate is considering a con-
5 ference report on, or an amendment
6 between the Houses in relation to, an
7 appropriations Act, upon a point of
8 order being made by any Senator pur-
9 suant to this subparagraph, and such
10 point of order being sustained, such
11 material contained in such conference
12 report shall be deemed stricken, and
13 the Senate shall proceed to consider
14 the question of whether the Senate
15 shall recede from its amendment and
16 concur with a further amendment, or
17 concur in the House amendment with
18 a further amendment, as the case may
19 be, which further amendment shall
20 consist of only that portion of the con-
21 ference report or House amendment,
22 as the case may be, not so stricken.
23 Any such motion in the Senate shall
24 be debatable under the same condi-
25 tions as was the conference report. In

1 any case in which such point of order
2 is sustained against a conference re-
3 port (or Senate amendment derived
4 from such conference report by oper-
5 ation of this subsection), no further
6 amendment shall be in order.

7 (2) ELIMINATING A BREACH.—Each non-ex-
8 empt account within a category shall be reduced by
9 a dollar amount calculated by multiplying the base-
10 line level of sequesterable budgetary resources in
11 that account at that time by the uniform percentage
12 necessary to eliminate a breach within that category.

13 (3) MILITARY PERSONNEL.—

14 (A) IN GENERAL.—The President may,
15 with respect to any military personnel account,
16 exempt that account from sequestration or pro-
17 vide for a lower uniform percentage reduction
18 than would otherwise apply, provided that the
19 President has notified Congress of the manner
20 in which such authority will be exercised pursu-
21 ant to paragraph (7)(A)(ii).

22 (B) REDUCTIONS.—If the President uses
23 the authority to exempt any military personnel
24 from sequestration under paragraph (7)(A)(ii),
25 each account within subfunctional category 051

1 (other than those military personnel accounts
2 for which the authority provided under subpara-
3 graph (A) has been exercised) shall be further
4 reduced by a dollar amount calculated by multi-
5 plying the enacted level of non-exempt budg-
6 etary resources in that account at that time by
7 the uniform percentage necessary to offset the
8 total dollar amount by which budget authority
9 is not reduced in military personnel accounts by
10 reason of the use of such authority.

11 (4) PART-YEAR APPROPRIATIONS.—If, on the
12 date specified in paragraph (1), there is in effect an
13 Act making or continuing appropriations for part of
14 a fiscal year for any budget account, then the dollar
15 sequestration calculated for that account under
16 paragraphs (2) and (3) shall be subtracted from—

17 (A) the annualized amount otherwise avail-
18 able by law in that account under that or a sub-
19 sequent part-year appropriation; and

20 (B) when a full-year appropriation for that
21 account is enacted, from the amount otherwise
22 provided by the full-year appropriation.

23 (5) LOOK-BACK.—If, after June 30, an appro-
24 priation for the fiscal year in progress is enacted
25 that causes a breach within a category for that year

1 (after taking into account any sequestration of
2 amounts within that category), the discretionary
3 spending limits for that category for the next fiscal
4 year shall be reduced by the amount or amounts of
5 that breach.

6 (6) WITHIN-SESSION SEQUESTRATION.—If an
7 appropriation for a fiscal year in progress is enacted
8 (after Congress adjourns to end the session for that
9 budget year and before July 1 of that fiscal year)
10 that causes a breach within a category for that year
11 (after taking into account any prior sequestration of
12 amounts within that category), 15 days after such
13 enactment there shall be a sequestration to eliminate
14 that breach within that category following the proce-
15 dures set forth in paragraphs (2) through (4).

16 (7) REPORTS.—

17 (A) SEQUESTRATION PREVIEW REPORT.—

18 (i) IN GENERAL.—Not later than 5
19 days before the date of the President's
20 budget submission for CBO, and the date
21 of the President's budget submissions for
22 OMB, OMB and CBO shall issue a pre-
23 view report regarding discretionary spend-
24 ing based on laws enacted through those
25 dates. The preview report shall set forth

1 estimates for the current year and each
2 subsequent year through 2021 of the appli-
3 cable discretionary spending limits for each
4 category and an explanation of any adjust-
5 ments in such limits under this section.

6 (ii) NOTIFICATION REGARDING MILI-
7 TARY PERSONNEL.—On or before the date
8 of the sequestration preview report, the
9 President shall notify Congress of the
10 manner in which the President intends to
11 exercise flexibility with respect to military
12 personnel accounts under paragraph (3).

13 (B) SEQUESTRATION UPDATE REPORT.—
14 Not later than August 15 for CBO, and August
15 20 for OMB, OMB and CBO shall issue a se-
16 questration update report, reflecting laws en-
17 acted through those dates, containing all of the
18 information required in the sequestration pre-
19 view reports. This report shall also contain a
20 preview estimate of the adjustment for disaster
21 funding for the upcoming fiscal year.

22 (C) FINAL SEQUESTRATION REPORT.—Not
23 later than 10 days after the end of session for
24 CBO, and 14 days after the end of session for
25 OMB (excluding weekends and holidays), OMB

1 and CBO shall issue a final sequestration re-
2 port, updated to reflect laws enacted through
3 those dates, with estimates for each of the fol-
4 lowing:

5 (i) For the current year and each sub-
6 sequent year through 2021 the applicable
7 discretionary spending limits for each cat-
8 egory and an explanation of any adjust-
9 ments in such limits under this section, in-
10 cluding a final estimate of the disaster
11 funding adjustment.

12 (ii) For the current year and the
13 budget year the estimated new budget au-
14 thority for each category and the breach, if
15 any, in each category.

16 (iii) For each category for which a se-
17 questration is required, the sequestration
18 percentages necessary to achieve the re-
19 quired reduction.

20 (iv) For the budget year, for each ac-
21 count to be sequestered, estimates of the
22 baseline level of sequesterable budgetary
23 resources and the amount of budgetary re-
24 sources to be sequestered.

1 (D) EXPLANATION OF DIFFERENCES.—

2 The OMB reports shall explain the differences
3 between OMB and CBO estimates for each re-
4 port required by this paragraph.

5 (8) SUSPENSION IN THE EVENT OF LOW
6 GROWTH.—Section 254(i) and subsections (a),
7 (b)(1), and (c) of section 258 of the Balanced Budg-
8 et and Emergency Deficit Control Act of 1985 with
9 respect to suspension of this section for low growth
10 only shall apply to this section, provided that those
11 sections are deemed not to apply to titles III and IV
12 of the Congressional Budget Act of 1974 and section
13 1103 of title 31, United States Code.

14 (g) DEFINITIONS.—In this section:

15 (1) NONSECURITY CATEGORY.—The term “non-
16 security category” means all discretionary appropria-
17 tions, as that term is defined in section 250(c)(7) of
18 the Balanced Budget and Emergency Deficit Control
19 Act of 1985, not included in the security category
20 defined in this Act, but does not include any appro-
21 priation designated for overseas deployments and re-
22 lated activities pursuant to section (c)(3) or appro-
23 priation designated as an emergency pursuant to
24 this Act.

1 (2) SECURITY CATEGORY.—The term “security
2 category” includes discretionary appropriations, as
3 that term is defined in section 250(c)(7) of the Bal-
4 anced Budget and Emergency Deficit Control Act of
5 1985, in budget functions 050 and 700, but does not
6 include any appropriation designated for overseas
7 deployments and related activities pursuant to sec-
8 tion (c)(3) or appropriation designated as an emer-
9 gency pursuant to this Act.

10 (3) DISCRETIONARY CATEGORY.—The term
11 “discretionary category” includes all discretionary
12 appropriations, as that term is defined in section
13 250(c)(7) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, but does not include
15 any appropriation designated for overseas deploy-
16 ments and related activities pursuant to section
17 (c)(3) or appropriation designated as an emergency
18 pursuant to this Act.

19 (4) ADVANCE APPROPRIATION.—The term “ad-
20 vance appropriation” means appropriations of new
21 budget authority that become available one or more
22 fiscal years beyond the fiscal year for which the ap-
23 propriation act was passed.

1 (5) DISCRETIONARY SPENDING LIMITS.—The
2 term “discretionary spending limits” means the
3 amounts specified in this section.

4 (6) DEFINITIONS.—To the extent they are not
5 defined in this section, the terms used in this section
6 shall have the same meaning as the terms defined in
7 section 250(c) of the Balanced Budget and Emer-
8 gency Deficit Control Act of 1985.

9 (h) SEQUESTRATION RULES.—

10 (1) IN GENERAL.—Subsections (g) and (k) of
11 section 256 of the Balanced Budget and Emergency
12 Deficit Control Act of 1985 shall apply to sequestra-
13 tion under this Act.

14 (2) INTERGOVERNMENTAL FUNDS.—For pur-
15 poses of sequestration under this section, budgetary
16 resources shall not include activities financed by vol-
17 untary payments to the Government for goods and
18 services to be provided for such payments,
19 intragovernmental funds paid in from other Govern-
20 ment accounts, and unobligated balances of prior
21 year appropriations.

22 **SEC. 102. SENATE BUDGET ENFORCEMENT.**

23 (a) IN GENERAL.—

24 (1) For the purpose of enforcing the Congres-
25 sional Budget Act of 1974 through April 15, 2012,

1 including section 300 of that Act, and enforcing
2 budgetary points of order in prior concurrent resolu-
3 tions on the budget, the allocations, aggregates, and
4 levels set in subsection (b)(1) shall apply in the Sen-
5 ate in the same manner as for a concurrent resolu-
6 tion on the budget for fiscal year 2012 with appro-
7 priate budgetary levels for fiscal years 2011 and
8 2013 through 2021.

9 (2) For the purpose of enforcing the Congres-
10 sional Budget Act of 1974 after April 15, 2012, in-
11 cluding section 300 of that Act, and enforcing budg-
12 etary points of order in prior concurrent resolutions
13 on the budget, the allocations, aggregates, and levels
14 set in subsection (b)(2) shall apply in the Senate in
15 the same manner as for a concurrent resolution on
16 the budget for fiscal year 2013 with appropriate
17 budgetary levels for fiscal years 2012 and 2014
18 through 2022.

19 (b) COMMITTEE ALLOCATIONS, AGGREGATES AND
20 LEVELS.—

21 (1) As soon as practicable after the date of en-
22 actment of this section, the Chairman of the Com-
23 mittee on the Budget shall file—

24 (A) for the Committee on Appropriations,
25 committee allocations for fiscal years 2011 and

1 2012 consistent with the discretionary spending
2 limits set forth in this Act for the purpose of
3 enforcing section 302 of the Congressional
4 Budget Act of 1974;

5 (B) for all committees other than the Com-
6 mittee on Appropriations, committee allocations
7 for fiscal years 2011, 2012, 2012 through
8 2016, and 2012 through 2021 consistent with
9 the Congressional Budget Office's March 2011
10 baseline adjusted to account for the budgetary
11 effects of this Act and legislation enacted prior
12 to this Act but not included in the Congres-
13 sional Budget Office's March 2011 baseline, for
14 the purpose of enforcing section 302 of the
15 Congressional Budget Act of 1974;

16 (C) aggregate spending levels for fiscal
17 years 2011 and 2012 and aggregate revenue
18 levels fiscal years 2011, 2012, 2012 through
19 2016, 2012 through 2021 consistent with the
20 Congressional Budget Office's March 2011
21 baseline adjusted to account for the budgetary
22 effects of this Act and legislation enacted prior
23 to this Act but not included in the Congres-
24 sional Budget Office's March 2011 baseline,
25 and the discretionary spending limits set forth

1 in this Act for the purpose of enforcing section
2 311 of the Congressional Budget Act of 1974;
3 and

4 (D) levels of Social Security revenues and
5 outlays for fiscal years 2011, 2012, 2012
6 through 2016, and 2012 through 2021 con-
7 sistent with the Congressional Budget Office's
8 March 2011 baseline adjusted to account for
9 the budgetary effects of this Act and legislation
10 enacted prior to this Act but not included in the
11 Congressional Budget Office's March 2011
12 baseline, for the purpose of enforcing sections
13 302 and 311 of the Congressional Budget Act
14 of 1974.

15 (2) Not later than April 15, 2012, the Chair-
16 man of the Committee on the Budget shall file—

17 (A) for the Committee on Appropriations,
18 committee allocations for fiscal years 2012 and
19 2013 consistent with the discretionary spending
20 limits set forth in this Act for the purpose of
21 enforcing section 302 of the Congressional
22 Budget Act of 1974;

23 (B) for all committees other than the Com-
24 mittee on Appropriations, committee allocations
25 for fiscal years 2012, 2013, 2013 through

1 2017, and 2013 through 2022 consistent with
2 the Congressional Budget Office’s March 2012
3 baseline for the purpose of enforcing section
4 302 of the Congressional Budget Act of 1974;

5 (C) aggregate spending levels for fiscal
6 years 2012 and 2013 and aggregate revenue
7 levels fiscal years 2012, 2013, 2013–2017, and
8 2013–2022 consistent with the Congressional
9 Budget Office’s March 2012 baseline and the
10 discretionary spending limits set forth in this
11 Act for the purpose of enforcing section 311 of
12 the Congressional Budget Act of 1974; and

13 (D) levels of Social Security revenues and
14 outlays for fiscal years 2012 and 2013, 2013–
15 2017, and 2013–2022 consistent with the Con-
16 gressional Budget Office’s March 2012 baseline
17 budget for the purpose of enforcing sections
18 302 and 311 of the Congressional Budget Act
19 of 1974.

20 (c) SENATE PAY-AS-YOU-GO SCORECARD.—

21 (1) Effective on the date of enactment of this
22 section, for the purpose of enforcing section 201 of
23 S. Con. Res. 21 (110th Congress), the Chairman of
24 the Senate Committee on the Budget shall reduce

1 any balances of direct spending and revenues for any
2 fiscal year to 0 (zero).

3 (2) Not later than April 15, 2012, for the pur-
4 pose of enforcing section 201 of S. Con. Res. 21
5 (110th Congress), the Chairman of the Senate Com-
6 mittee on the Budget shall reduce any balances of
7 direct spending and revenues for any fiscal year to
8 0 (zero).

9 (3) Upon resetting the Senate paygo scorecard
10 pursuant to paragraph (2), the Chairman shall pub-
11 lish a notification of such action in the Congres-
12 sional Record.

13 (d) FURTHER ADJUSTMENTS.—

14 (1) The Chairman of the Committee on the
15 Budget of the Senate may revise any allocations, ag-
16 gregates, or levels set pursuant to this section to ac-
17 count for any subsequent adjustments to discre-
18 tionary spending limits made pursuant to this Act.

19 (2) With respect to any allocations, aggregates,
20 or levels set or adjustments made pursuant to this
21 section, sections 412 through 414 of S. Con. Res. 13
22 (111th Congress) shall remain in effect.

23 (e) EXPIRATION.—

24 (1) Subections (a)(1), (b)(1), and (c)(1) shall
25 expire if a concurrent resolution on the budget for

1 fiscal year 2012 is agreed to by the Senate and
2 House of Representatives pursuant to section 301 of
3 the Congressional Budget Act of 1974.

4 (2) Subections (a)(2), (b)(2), and (c)(2) shall
5 expire if a concurrent resolution on the budget for
6 fiscal year 2013 is agreed to by the Senate and
7 House of Representatives pursuant to section 301 of
8 the Congressional Budget Act of 1974.

9 **TITLE J—OTHER SPENDING**
10 **CUTS**

11 **Subtitle A—Federal Pell Grant and**
12 **Student Loan Program Changes**

13 **SEC. 211. FEDERAL PELL GRANT AND STUDENT LOAN PRO-**
14 **GRAM CHANGES.**

15 (a) FEDERAL PELL GRANTS.—Section
16 401(b)(7)(A)(iv) of the Higher Education Act of 1965 (20
17 U.S.C. 1070a(b)(7)(A)(iv)) is amended—

18 (1) in subclause (II), by striking
19 “\$3,183,000,000” and inserting “\$13,683,000,000”;
20 and

21 (2) in subclause (III), by striking “\$0” and in-
22 serting “\$7,500,000,000”.

23 (b) TERMINATION OF AUTHORITY TO MAKE INTER-
24 EST SUBSIDIZED LOANS TO GRADUATE AND PROFES-
25 SIONAL STUDENTS.—Section 455(a) of the Higher Edu-

1 cation Act of 1965 (20 U.S.C. 1087e(a)) is amended by
2 adding at the end the following:

3 “(3) TERMINATION OF AUTHORITY TO MAKE
4 INTEREST SUBSIDIZED LOANS TO GRADUATE AND
5 PROFESSIONAL STUDENTS.—

6 “(A) IN GENERAL.—Notwithstanding any
7 provision of this part or part B, for any period
8 of instruction beginning on or after July 1,
9 2012—

10 “(i) a graduate or professional stu-
11 dent shall not be eligible to receive a sub-
12 sidized Federal Direct Stafford Loan
13 under this part;

14 “(ii) the maximum annual amount of
15 Federal Direct Unsubsidized Stafford
16 Loans such a student may borrow in any
17 academic year (as defined in section
18 481(a)(2)) or its equivalent shall be the
19 maximum annual amount for such student
20 determined under section 428H, plus an
21 amount equal to the amount of Federal
22 Direct Subsidized Loans the student would
23 have received in the absence of this sub-
24 paragraph; and

1 “(iii) the maximum aggregate amount
2 of Federal Direct Unsubsidized Stafford
3 Loans such a student may borrow shall be
4 the maximum aggregate amount for such
5 student determined under section 428H,
6 adjusted to reflect the increased annual
7 limits described in clause (ii), as prescribed
8 by the Secretary by regulation.

9 “(B) EXCEPTION.—Subparagraph (A)
10 shall not apply to an individual enrolled in
11 coursework specified in paragraph (3)(B) or
12 (4)(B) of section 484(b).”.

13 (c) INAPPLICABILITY OF TITLE IV NEGOTIATED
14 RULEMAKING AND MASTER CALENDAR EXCEPTION.—
15 Sections 482(c) and 492 of the Higher Education Act of
16 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the
17 amendments made by this section, or to any regulations
18 promulgated under those amendments.

19 **Subtitle B—Farm Programs**

20 **SEC. 221. DEFINITION OF PAYMENT ACRES.**

21 (a) IN GENERAL.—Section 1001(11) of the Food,
22 Conservation, and Energy Act of 2008 (7 U.S.C.
23 8702(11)) is amended—

24 (1) in subparagraph (A)—

1 (A) by striking “subparagraph (B)” and
2 inserting “subparagraphs (B) and (C)”; and

3 (B) by striking “and” at the end;

4 (2) in subparagraph (B), by striking the period
5 at the end and inserting “; and”; and

6 (3) by adding at the end the following:

7 “(C) in the case of direct payments for the
8 2012 crop year, 59 percent of the base acres for
9 the covered commodity on a farm on which di-
10 rect payments are made.”.

11 (b) PAYMENT ACRES FOR PEANUTS.—Section
12 1301(5) of the Food, Conservation, and Energy Act of
13 2008 (7 U.S.C. 8751(5)) is amended—

14 (1) in subparagraph (A)—

15 (A) by striking “subparagraph (B)” and
16 inserting “subparagraphs (B) and (C)”; and

17 (B) by striking “and” at the end;

18 (2) in subparagraph (B), by striking the period
19 at the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(C) in the case of direct payments for the
22 2012 crop year, 59 percent of the base acres for
23 peanuts on a farm on which direct payments
24 are made.”.

1 **TITLE K—JOINT SELECT COM-**
2 **MITTEE ON DEFICIT REDUC-**
3 **TION**

4 **SEC. 301. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

5 (a) DEFINITIONS.—In this title:

6 (1) JOINT SELECT COMMITTEE.—The term
7 “joint committee” means the Joint Select Committee
8 on Deficit Reduction established under subsection
9 (b)(1).

10 (2) JOINT SELECT COMMITTEE BILL.—The
11 term “joint committee bill” means a bill consisting
12 of the proposed legislative language of the joint com-
13 mittee recommended under subsection (b)(3)(B) and
14 introduced under section 302(a).

15 (b) ESTABLISHMENT OF JOINT SELECT COM-
16 MITTEE.—

17 (1) ESTABLISHMENT.—There is established a
18 joint select committee of Congress to be known as
19 the “Joint Select Committee on Deficit Reduction”.

20 (2) GOAL.—The goal of the joint committee
21 shall be to reduce the deficit to 3 percent or less of
22 GDP.

23 (3) DUTIES.—

24 (A) IN GENERAL.—

1 (i) IMPROVING THE SHORT-TERM AND
2 LONG-TERM FISCAL IMBALANCE.—The
3 joint committee shall provide recommenda-
4 tions and legislative language that will sig-
5 nificantly improve the short-term and long-
6 term fiscal imbalance of the Federal Gov-
7 ernment and may include recommendations
8 and legislative language on tax reform.

9 (ii) CONSIDERATION OF OTHER BI-
10 PARTISAN PLANS.—As a part of developing
11 the joint committee’s recommendations and
12 legislation, the joint committee shall con-
13 sider existing bipartisan plans to reduce
14 the deficit, including plans developed joint-
15 ly by Senators or Members of the House of
16 Representatives.

17 (iii) RECOMMENDATIONS OF HOUSE
18 OF REPRESENTATIVES AND SENATE COM-
19 MITTEES.—Not later than October 14,
20 2011, each committee of the House of
21 Representatives and Senate may transmit
22 to the joint committee its recommendations
23 for changes in law to reduce the deficit
24 consistent with the goals described in para-

1 graph (2) for the joint committee’s consid-
2 eration.

3 (B) REPORT, RECOMMENDATIONS, AND
4 LEGISLATIVE LANGUAGE.—

5 (i) IN GENERAL.—Not later than No-
6 vember 23, 2011, the joint committee shall
7 vote on—

8 (I) a report that contains a de-
9 tailed statement of the findings, con-
10 clusions, and recommendations of the
11 joint committee and the CBO estimate
12 required by paragraph (5)(D)(ii); and

13 (II) proposed legislative language
14 to carry out such recommendations as
15 described in subclause (I).

16 No amendment to the Rules of the House
17 of Representatives or the Standing Rules
18 of the Senate shall be in order in the legis-
19 lative language required in subclause (II).

20 (ii) APPROVAL OF REPORT AND LEG-
21 ISLATIVE LANGUAGE.—The report of the
22 joint committee and the proposed legisla-
23 tive language described in clause (i) shall
24 require the approval of not fewer than 7 of
25 the 12 members of the joint committee.

1 (iii) ADDITIONAL VIEWS.—A member
2 of the joint committee who gives notice of
3 an intention to file supplemental, minority,
4 or additional views at the time of final
5 joint committee vote on the approval of the
6 report and legislative language under
7 clause (ii), shall be entitled to 3 calendar
8 days in which to file such views in writing
9 with the staff director of the joint com-
10 mittee. Such views shall then be included
11 in the joint committee report and printed
12 in the same volume, or part thereof, and
13 their inclusion shall be noted on the cover
14 of the report. In the absence of timely no-
15 tice, the joint committee report may be
16 printed and transmitted immediately with-
17 out such views.

18 (iv) TRANSMISSION OF REPORT AND
19 LEGISLATIVE LANGUAGE.—If the report
20 and legislative language are approved by
21 the joint committee pursuant to clause (ii),
22 then not later than December 2, 2011, the
23 joint committee shall submit the joint com-
24 mittee report and legislative language de-
25 scribed in clause (i) to the President, the

1 Vice President, the Speaker of the House
2 of Representatives, and the Majority and
3 Minority Leaders of both Houses.

4 (v) REPORT AND LEGISLATIVE LAN-
5 GUAGE TO BE MADE PUBLIC.—Upon the
6 approval or disapproval of the joint com-
7 mittee report and legislative language pur-
8 suant to clause (ii), the joint committee
9 shall promptly make the full report and
10 legislative language, and a record of the
11 vote, available to the public.

12 (4) MEMBERSHIP.—

13 (A) IN GENERAL.—The joint committee
14 shall be composed of 12 members appointed
15 pursuant to subparagraph (B).

16 (B) APPOINTMENT.—Members of the joint
17 committee shall be appointed as follows:

18 (i) The majority leader of the Senate
19 shall appoint 3 members from among
20 Members of the Senate.

21 (ii) The minority leader of the Senate
22 shall appoint 3 members from among
23 Members of the Senate.

24 (iii) The Speaker of the House of
25 Representatives shall appoint 3 members

1 from among Members of the House of
2 Representatives.

3 (iv) The minority leader of the House
4 of Representatives shall appoint 3 mem-
5 bers from among Members of the House of
6 Representatives.

7 (C) CO-CHAIRS.—

8 (i) IN GENERAL.—There shall be 2
9 Co-Chairs of the joint committee. The ma-
10 jority leader of the Senate shall appoint
11 one Co-Chair from among the members of
12 the joint committee. The Speaker of the
13 House of Representatives shall appoint the
14 second Co-Chair from among the members
15 of the joint committee. The Co-Chairs shall
16 be appointed not later than 14 calendar
17 days after the date of enactment of this
18 section.

19 (ii) STAFF DIRECTOR.—The Co-
20 Chairs, acting jointly, shall hire the staff
21 director of the joint committee.

22 (D) DATE.—Members of the joint com-
23 mittee shall be appointed not later than 14 cal-
24 endar days after the date of enactment of this
25 section.

1 (E) PERIOD OF APPOINTMENT.—Members
2 shall be appointed for the life of the joint com-
3 mittee. Any vacancy in the joint committee
4 shall not affect its powers, but shall be filled
5 not later than 14 calendar days after the date
6 on which the vacancy occurs in the same man-
7 ner as the original appointment. If a member of
8 the committee leaves Congress, the member is
9 no longer a member of the joint committee and
10 a vacancy shall exist.

11 (5) ADMINISTRATION.—

12 (A) IN GENERAL.—To enable the joint
13 committee to exercise its powers, functions, and
14 duties, there are authorized to be disbursed by
15 the Senate the actual and necessary expenses of
16 the joint committee approved by the Co-Chairs,
17 subject to Senate rules and regulations.

18 (B) EXPENSES.—In carrying out its func-
19 tions, the joint committee is authorized to incur
20 expenses in the same manner and under the
21 same conditions as the Joint Economic Com-
22 mittee as authorized by section 11 of Public
23 Law 79-304 (15 U.S.C. 1024(d)).

1 (C) QUORUM.—Seven members of the joint
2 committee shall constitute a quorum for pur-
3 poses of voting, meeting, and holding hearings.

4 (D) VOTING.—

5 (i) PROXY VOTING.—No proxy voting
6 shall be allowed on behalf of the members
7 of the joint committee.

8 (ii) CONGRESSIONAL BUDGET OFFICE
9 ESTIMATES.—The Congressional Budget
10 Office shall provide estimates of the legis-
11 lation (as described in paragraph (3)(B))
12 in accordance with sections 308(a) and
13 201(f) of the Congressional Budget Act of
14 1974 (2 U.S.C. 639(a) and 601(f)) (in-
15 cluding estimates of the effect of interest
16 payment on the debt). In addition, the
17 Congressional Budget Office shall provide
18 information on the budgetary effect of the
19 legislation beyond the year 2021 and the
20 Congressional Budget Office and Joint
21 Committee on Taxation may provide infor-
22 mation on the budgetary effect of the legis-
23 lation relative to alternative fiscal sce-
24 narios. The joint committee may not vote
25 on any version of the report, recommenda-

1 tions, or legislative language unless such
2 estimates are available for consideration by
3 all members of the joint committee at least
4 48 hours prior to the vote as certified by
5 the Co-Chairs.

6 (E) MEETINGS.—

7 (i) INITIAL MEETING.—Not later than
8 45 calendar days after the date of enact-
9 ment of this section, the joint committee
10 shall hold its first meeting.

11 (ii) AGENDA.—The Co-Chairs shall
12 provide an agenda to the joint committee
13 members not less than 48 hours in advance
14 of any meeting.

15 (F) HEARINGS.—

16 (i) IN GENERAL.—The joint com-
17 mittee may, for the purpose of carrying
18 out this section, hold such hearings, sit
19 and act at such times and places, require
20 attendance of witnesses and production of
21 books, papers, and documents, take such
22 testimony, receive such evidence, and ad-
23 minister such oaths the joint committee
24 considers advisable.

1 (ii) HEARING PROCEDURES AND RE-
2 SPONSIBILITIES OF CO-CHAIRS.—

3 (I) ANNOUNCEMENT.—The Co-
4 Chairs shall make a public announce-
5 ment of the date, place, time, and
6 subject matter of any hearing to be
7 conducted not less than 7 days in ad-
8 vance of such hearing, unless the Co-
9 Chairs determine that there is good
10 cause to begin such hearing at an ear-
11 lier date.

12 (II) WRITTEN STATEMENT.—A
13 witness appearing before the joint
14 committee shall file a written state-
15 ment of proposed testimony at least 2
16 calendar days prior to appearance, un-
17 less the requirement is waived by the
18 Co-Chairs, following their determina-
19 tion that there is good cause for fail-
20 ure of compliance.

21 (G) TECHNICAL ASSISTANCE.—Upon writ-
22 ten request of the Co-Chairs, a Federal agency
23 shall provide technical assistance to the joint
24 committee in order for the joint committee to
25 carry out its duties.

1 (c) STAFF OF JOINT COMMITTEE.—

2 (1) IN GENERAL.—The Co-Chairs may jointly
3 appoint and fix the compensation of staff as they
4 deem necessary, within the guidelines for Senate em-
5 ployees and following all applicable Senate rules and
6 employment requirements.

7 (2) ETHICAL STANDARDS.—Members on the
8 joint committee who serve in the House of Rep-
9 resentatives shall be governed by the House ethics
10 rules and requirements. Members of the Senate who
11 serve on the joint committee and staff of the joint
12 committee shall comply with Senate ethics rules.

13 (d) TERMINATION.—The joint committee shall termi-
14 nate on January 13, 2012.

15 **SEC. 302. EXPEDITED CONSIDERATION OF JOINT COM-**
16 **MITTEE RECOMMENDATIONS.**

17 (a) INTRODUCTION.—If approved by the majority re-
18 quired by section 301(b)(3)(B)(ii), the proposed legislative
19 language submitted pursuant to section 301(b)(3)(B)(iv)
20 shall be introduced in the Senate (by request) on the next
21 day on which the Senate is in session by the majority lead-
22 er of the Senate or by a Member of the Senate designated
23 by the majority leader of the Senate and shall be intro-
24 duced in the House of Representatives (by request) on the
25 next legislative day by the majority leader of the House

1 of Representatives or by a Member of the House of Rep-
2 resentatives designated by the majority leader of the
3 House of Representatives.

4 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
5 ATIVES.—

6 (1) REFERRAL AND REPORTING.—Any com-
7 mittee of the House of Representatives to which the
8 joint committee bill is referred shall report it to the
9 House of Representatives without amendment not
10 later than December 9, 2011. If a committee fails to
11 report the joint committee bill within that period, it
12 shall be in order to move that the House of Rep-
13 resentatives discharge the committee from further
14 consideration of the bill. Such a motion shall not be
15 in order after the last committee authorized to con-
16 sider the bill reports it to the House of Representa-
17 tives or after the House of Representatives has dis-
18 posed of a motion to discharge the bill. The previous
19 question shall be considered as ordered on the mo-
20 tion to its adoption without intervening motion ex-
21 cept 20 minutes of debate equally divided and con-
22 trolled by the proponent and an opponent. If such
23 a motion is adopted, the House of Representatives
24 shall proceed immediately to consider the joint com-
25 mittee bill in accordance with paragraphs (2) and

1 (3). A motion to reconsider the vote by which the
2 motion is disposed of shall not be in order.

3 (2) PROCEEDING TO CONSIDERATION.—After
4 the last committee authorized to consider a joint
5 committee bill reports it to the House of Representa-
6 tives or has been discharged (other than by motion)
7 from its consideration, it shall be in order to move
8 to proceed to consider the joint committee bill in the
9 House of Representatives. Such a motion shall not
10 be in order after the House of Representatives has
11 disposed of a motion to proceed with respect to the
12 joint committee bill. The previous question shall be
13 considered as ordered on the motion to its adoption
14 without intervening motion. A motion to reconsider
15 the vote by which the motion is disposed of shall not
16 be in order.

17 (3) CONSIDERATION.—The joint committee bill
18 shall be considered as read. All points of order
19 against the joint committee bill and against its con-
20 sideration are waived. The previous question shall be
21 considered as ordered on the joint committee bill to
22 its passage without intervening motion except 2
23 hours of debate equally divided and controlled by the
24 proponent and an opponent and one motion to limit
25 debate on the joint committee bill. A motion to re-

1 consider the vote on passage of the joint committee
2 bill shall not be in order.

3 (4) VOTE ON PASSAGE.—The vote on passage
4 of the joint committee bill shall occur not later than
5 December 23, 2011.

6 (c) EXPEDITED PROCEDURE IN THE SENATE.—

7 (1) COMMITTEE CONSIDERATION.—A joint com-
8 mittee bill introduced in the Senate under subsection
9 (a) shall be jointly referred to the committee or com-
10 mittees of jurisdiction, which committees shall report
11 the bill without any revision and with a favorable
12 recommendation, an unfavorable recommendation, or
13 without recommendation, not later than December 9,
14 2011. If any committee fails to report the bill within
15 that period, that committee shall be automatically
16 discharged from consideration of the bill, and the
17 bill shall be placed on the appropriate calendar.

18 (2) MOTION TO PROCEED.—Notwithstanding
19 rule XXII of the Standing Rules of the Senate, it is
20 in order, not later than 2 days of session after the
21 date on which a joint committee bill is reported or
22 discharged from all committees to which it was re-
23 ferred, for the majority leader of the Senate or the
24 majority leader's designee to move to proceed to the
25 consideration of the joint committee bill. It shall also

1 be in order for any Member of the Senate to move
2 to proceed to the consideration of the joint com-
3 mittee bill at any time after the conclusion of such
4 2-day period. A motion to proceed is in order even
5 though a previous motion to the same effect has
6 been disagreed to. All points of order against the
7 motion to proceed to the joint committee bill are
8 waived. The motion to proceed is not debatable. The
9 motion is not subject to a motion to postpone. A mo-
10 tion to reconsider the vote by which the motion is
11 agreed to or disagreed to shall not be in order. If
12 a motion to proceed to the consideration of the joint
13 committee bill is agreed to, the joint committee bill
14 shall remain the unfinished business until disposed
15 of.

16 (3) CONSIDERATION.—All points of order
17 against the joint committee bill and against consid-
18 eration of the joint committee bill are waived. Con-
19 sideration of the joint committee bill and of all de-
20 batable motions and appeals in connection therewith
21 shall not exceed a total of 30 hours which shall be
22 divided equally between the Majority and Minority
23 Leaders or their designees. A motion further to limit
24 debate on the joint committee bill is in order, shall
25 require an affirmative vote of three-fifths of the

1 Members duly chosen and sworn, and is not debat-
2 able. Any debatable motion or appeal is debatable
3 for not to exceed 1 hour, to be divided equally be-
4 tween those favoring and those opposing the motion
5 or appeal. All time used for consideration of the
6 joint committee bill, including time used for quorum
7 calls and voting, shall be counted against the total
8 30 hours of consideration.

9 (4) NO AMENDMENTS.—An amendment to the
10 joint committee bill, or a motion to postpone, or a
11 motion to proceed to the consideration of other busi-
12 ness, or a motion to recommit the joint committee
13 bill, is not in order.

14 (5) VOTE ON PASSAGE.—If the Senate has
15 voted to proceed to the joint committee bill, the vote
16 on passage of the joint committee bill shall occur im-
17 mediately following the conclusion of the debate on
18 a joint committee bill, and a single quorum call at
19 the conclusion of the debate if requested. The vote
20 on passage of the joint committee bill shall occur not
21 later than December 23, 2011.

22 (6) RULINGS OF THE CHAIR ON PROCEDURE.—
23 Appeals from the decisions of the Chair relating to
24 the application of the rules of the Senate, as the

1 case may be, to the procedure relating to a joint
2 committee bill shall be decided without debate.

3 (d) AMENDMENT.—The joint committee bill shall not
4 be subject to amendment in either the House of Rep-
5 resentatives or the Senate.

6 (e) CONSIDERATION BY THE OTHER HOUSE.—

7 (1) IN GENERAL.—If, before passing the joint
8 committee bill, one House receives from the other a
9 joint committee bill—

10 (A) the joint committee bill of the other
11 House shall not be referred to a committee; and

12 (B) the procedure in the receiving House
13 shall be the same as if no joint committee bill
14 had been received from the other House until
15 the vote on passage, when the joint committee
16 bill received from the other House shall sup-
17 plant the joint committee bill of the receiving
18 House.

19 (2) REVENUE MEASURE.—This subsection shall
20 not apply to the House of Representatives if the
21 joint committee bill received from the Senate is a
22 revenue measure.

23 (f) RULES TO COORDINATE ACTION WITH OTHER
24 HOUSE.—

1 (1) TREATMENT OF JOINT COMMITTEE BILL OF
2 OTHER HOUSE.—If the Senate fails to introduce or
3 consider a joint committee bill under this section,
4 the joint committee bill of the House of Representa-
5 tives shall be entitled to expedited floor procedures
6 under this section.

7 (2) TREATMENT OF COMPANION MEASURES IN
8 THE SENATE.—If following passage of the joint com-
9 mittee bill in the Senate, the Senate then receives
10 the joint committee bill from the House of Rep-
11 resentatives, the House-passed joint committee bill
12 shall not be debatable. The vote on passage of the
13 joint committee bill in the Senate shall be considered
14 to be the vote on passage of the joint committee bill
15 received from the House of Representatives.

16 (3) VETOES.—If the President vetoes the joint
17 committee bill, debate on a veto message in the Sen-
18 ate under this section shall be 1 hour equally divided
19 between the majority and minority leaders or their
20 designees.

21 (g) LOSS OF PRIVILEGE.—The provisions of this sec-
22 tion shall cease to apply to the joint committee bill if—

23 (1) the joint committee fails to vote on the re-
24 port or proposed legislative language required under
25 section 301(b)(3)(B)(i) by November 23, 2011; or

1 (2) the joint committee bill does not pass both
2 Houses by December 23, 2011.

3 **SEC. 303. FUNDING.**

4 Funding for the joint committee shall be derived in
5 equal portions from—

6 (1) the applicable accounts of the House of
7 Representatives; and

8 (2) the contingent fund of the Senate from the
9 appropriations account “Miscellaneous Items”, sub-
10 ject to Senate rules and regulations.

11 **SEC. 304. RULEMAKING.**

12 The provisions of this title are enacted by Congress—

13 (1) as an exercise of the rulemaking power of
14 the House of Representatives and the Senate, re-
15 spectively, and as such they shall be considered as
16 part of the rules of each House, respectively, or of
17 that House to which they specifically apply, and
18 such rules shall supersede other rules only to the ex-
19 tent that they are inconsistent therewith; and

20 (2) with full recognition of the constitutional
21 right of either House to change such rules (so far
22 as relating to such House) at any time, in the same
23 manner, and to the same extent as in the case of
24 any other rule of such House.

1 **TITLE L—DEBT CEILING**
2 **DISAPPROVAL PROCESS**

3 **SEC. 401. DEBT CEILING DISAPPROVAL PROCESS.**

4 Subchapter I of chapter 31 of subtitle III of title 31,
5 United States Code, is amended—

6 (1) in section 3101(b), by striking “or other-
7 wise” and inserting “or as provided by section
8 3101A or otherwise”; and

9 (2) by inserting after section 3101, the fol-
10 lowing:

11 **“§ 3101A. Presidential modification of the debt ceil-**
12 **ing**

13 “(a) IN GENERAL.—

14 “(1) \$1.2 TRILLION.—

15 “(A) CERTIFICATION.—If, not later than
16 December 31, 2011, the President submits a
17 written certification to Congress that the Presi-
18 dent has determined that the debt subject to
19 limit is within \$100,000,000,000 of the limit in
20 section 3101(b) and that further borrowing is
21 required to meet existing commitments, the
22 Secretary of the Treasury may exercise author-
23 ity to borrow an additional \$1,200,000,000,000
24 subject to the enactment of a joint resolution of
25 disapproval enacted pursuant to this section.

1 Upon submission of such certification, the limit
2 on debt provided in section 3101(b) (referred to
3 in this section as the ‘debt limit’) is increased
4 by \$416,000,000,000.

5 “(B) RESOLUTION OF DISAPPROVAL.—
6 Congress may consider a joint resolution of dis-
7 approval of the authority under subparagraph
8 (A) as provided in subsections (b) through (f).
9 The joint resolution of disapproval considered
10 under this section shall contain only the lan-
11 guage provided in subsection (b)(2). If the time
12 for disapproval has lapsed without enactment of
13 a joint resolution of disapproval under this sec-
14 tion, the debt limit is increased by an additional
15 \$784,000,000,000.

16 “(2) ADDITIONAL AMOUNT.—

17 “(A) CERTIFICATION.—If, after the debt
18 limit is increased by \$1,200,000,000,000 under
19 paragraph (1), the President submits a written
20 certification to Congress that the President has
21 determined that the debt subject to limit is
22 within \$150,000,000,000 of the limit in section
23 3101(b) and that further borrowing is required
24 to meet existing commitments, the Secretary of
25 the Treasury may exercise authority to borrow

1 an additional amount equal to
2 \$1,200,000,000,000 subject to the enactment of
3 a joint resolution of disapproval enacted pursu-
4 ant to this section.

5 “(B) RESOLUTION OF DISAPPROVAL.—
6 Congress may consider a joint resolution of dis-
7 approval of the authority under subparagraph
8 (A) as provided in subsections (b) through (f).
9 The joint resolution of disapproval considered
10 under this section shall contain only the lan-
11 guage provided in subsection (b)(2). After the
12 time for disapproval has lapsed without enact-
13 ment of a joint resolution of disapproval under
14 this section, the debt limit is increased by the
15 amount authorized under subparagraph (A).

16 “(b) JOINT RESOLUTION OF DISAPPROVAL.—

17 “(1) IN GENERAL.—Except for the
18 \$416,000,000,000 increase in the debt limit pro-
19 vided by subsection (a)(1)(A), the debt limit may not
20 be raised under this section if, within 55 calendar
21 days after the date on which Congress receives a
22 certification described in subsection (a)(1) or within
23 15 calendar days after the Congress receives the cer-
24 tification described in subsection (a)(2) (regardless
25 of whether Congress is in session), there is enacted

1 into law a joint resolution disapproving the Presi-
2 dent's exercise of authority with respect to such ad-
3 ditional amount.

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

7 “(A)(i) for the certification described in
8 subsection (a)(1), that is introduced on Sep-
9 tember 6, 7, 8 or 9, 2011 (or, if the Senate was
10 not in session, the next calendar day on which
11 the Senate is in session); and

12 “(ii) for the certification described in sub-
13 section (a)(2), that is introduced between the
14 date the certification is received and 3 calendar
15 days after that date;

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

17 “(C) the title of which is only as follows:
18 ‘Joint resolution relating to the disapproval of
19 the President’s exercise of authority to increase
20 the debt limit, as submitted under section
21 3101A of title 31, United States Code on
22 _____’ (with the blank
23 containing the date of submission); and

24 “(D) the matter after the resolving clause
25 of which is only as follows: ‘That Congress dis-

1 approves of the President's exercise of authority
2 to increase the debt limit, as exercised pursuant
3 to the certification under section 3101A(a) of
4 title 31, United States Code.'

5 “(c) EXPEDITED CONSIDERATION IN HOUSE OF
6 REPRESENTATIVES.—

7 “(1) RECONVENING.—Upon receipt of a certifi-
8 cation described in subsection (a)(2), the Speaker, if
9 the House would otherwise be adjourned, shall notify
10 the Members of the House that, pursuant to this
11 section, the House shall convene not later than the
12 second calendar day after receipt of such certifi-
13 cation.

14 “(2) REPORTING AND DISCHARGE.—Any com-
15 mittee of the House of Representatives to which a
16 joint resolution is referred shall report it to the
17 House without amendment not later than 5 calendar
18 days after the date of introduction of the joint reso-
19 lution described in subsection (a). If a committee
20 fails to report a joint resolution within that period,
21 the committee shall be discharged from further con-
22 sideration of the joint resolution and the joint reso-
23 lution shall be referred to the appropriate calendar.

24 “(3) PROCEEDING TO CONSIDERATION.—After
25 each committee authorized to consider a joint resolu-

1 tion reports it to the House or has been discharged
2 from its consideration, it shall be in order, not later
3 than the sixth day after introduction of a joint reso-
4 lution under subsection (a), to move to proceed to
5 consider the joint resolution in the House. All points
6 of order against the motion are waived. Such a mo-
7 tion shall not be in order after the House has dis-
8 posed of a motion to proceed on a joint resolution
9 addressing a particular submission. The previous
10 question shall be considered as ordered on the mo-
11 tion to its adoption without intervening motion. The
12 motion shall not be debatable. A motion to recon-
13 sider the vote by which the motion is disposed of
14 shall not be in order.

15 “(4) CONSIDERATION.—The joint resolution
16 shall be considered as read. All points of order
17 against the joint resolution and against its consider-
18 ation are waived. The previous question shall be con-
19 sidered as ordered on the joint resolution to its pas-
20 sage without intervening motion except two hours of
21 debate equally divided and controlled by the pro-
22 ponent and an opponent. A motion to reconsider the
23 vote on passage of the joint resolution shall not be
24 in order.

25 “(d) EXPEDITED PROCEDURE IN SENATE.—

1 “(1) RECONVENING.—Upon receipt of a certifi-
2 cation under subsection (a)(2), if the Senate has ad-
3 journd or recessed for more than 2 days, the major-
4 ity leader of the Senate, after consultation with the
5 minority leader of the Senate, shall notify the Mem-
6 bers of the Senate that, pursuant to this section, the
7 Senate shall convene not later than the second cal-
8 endar day after receipt of such message.

9 “(2) PLACEMENT ON CALENDAR.—Upon intro-
10 duction in the Senate, the joint resolution shall be
11 immediately placed on the calendar.

12 “(3) FLOOR CONSIDERATION.—

13 “(A) IN GENERAL.—Notwithstanding Rule
14 XXII of the Standing Rules of the Senate, it is
15 in order at any time during the period begin-
16 ning on the day after the date on which Con-
17 gress receives a certification under subsection
18 (a) and for the certification described in sub-
19 section (a)(1), ending on September 14, 2011
20 and for the certification described in subsection
21 (a)(2) on the 6th day after the date on which
22 Congress receives a certification under sub-
23 section (a) (even though a previous motion to
24 the same effect has been disagreed to) to move
25 to proceed to the consideration of the joint reso-

1 lution, and all points of order against the joint
2 resolution (and against consideration of the
3 joint resolution) are waived. The motion to pro-
4 ceed is not debatable. The motion is not subject
5 to a motion to postpone. A motion to reconsider
6 the vote by which the motion is agreed to or
7 disagreed to shall not be in order. If a motion
8 to proceed to the consideration of the resolution
9 is agreed to, the joint resolution shall remain
10 the unfinished business until disposed of.

11 “(B) CONSIDERATION.—Consideration of
12 the joint resolution, and on all debatable mo-
13 tions and appeals in connection therewith, shall
14 be limited to not more than 10 hours, which
15 shall be divided equally between the majority
16 and minority leaders or their designees. A mo-
17 tion further to limit debate is in order and not
18 debatable. An amendment to, or a motion to
19 postpone, or a motion to proceed to the consid-
20 eration of other business, or a motion to recom-
21 mit the joint resolution is not in order.

22 “(C) VOTE ON PASSAGE.—If the Senate
23 has voted to proceed to a joint resolution, the
24 vote on passage of the joint resolution shall
25 occur immediately following the conclusion of

1 consideration of the joint resolution, and a sin-
2 gle quorum call at the conclusion of the debate
3 if requested in accordance with the rules of the
4 Senate.

5 “(D) RULINGS OF THE CHAIR ON PROCE-
6 DURE.—Appeals from the decisions of the Chair
7 relating to the application of the rules of the
8 Senate, as the case may be, to the procedure re-
9 lating to a joint resolution shall be decided
10 without debate.

11 “(e) AMENDMENT NOT IN ORDER.—A joint resolu-
12 tion of disapproval considered pursuant to this section
13 shall not be subject to amendment in either the House
14 of Representatives or the Senate.

15 “(f) COORDINATION WITH ACTION BY OTHER
16 HOUSE.—

17 “(1) IN GENERAL.—If, before passing the joint
18 resolution, one House receives from the other a joint
19 resolution—

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

22 “(B) the procedure in the receiving House
23 shall be the same as if no joint resolution had
24 been received from the other House until the
25 vote on passage, when the joint resolution re-

1 ceived from the other House shall supplant the
2 joint resolution of the receiving House.

3 “(2) TREATMENT OF JOINT RESOLUTION OF
4 OTHER HOUSE.—If the Senate fails to introduce or
5 consider a joint resolution under this section, the
6 joint resolution of the House shall be entitled to ex-
7 pedited floor procedures under this section.

8 “(3) TREATMENT OF COMPANION MEASURES.—
9 If, following passage of the joint resolution in the
10 Senate, the Senate then receives the companion
11 measure from the House of Representatives, the
12 companion measure shall not be debatable.

13 “(4) CONSIDERATION AFTER PASSAGE.—

14 “(A) IN GENERAL.—If Congress passes a
15 joint resolution, the period beginning on the
16 date the President is presented with the joint
17 resolution and ending on the date the President
18 takes action with respect to the joint resolution
19 (but excluding days when either House is not in
20 session) shall be disregarded in computing the
21 appropriate calendar day period described in
22 subsection (b)(1).

23 “(B) VETOES.—If the President vetoes the
24 joint resolution—

1 “(i) the period beginning on the date
2 the President vetoes the joint resolution
3 and ending on the day on which the Con-
4 gress receives the veto message with re-
5 spect to the joint resolution (regardless of
6 whether Congress is in session) shall be
7 disregarded in computing the appropriate
8 calendar day period described in subsection
9 (b)(1); and

10 “(ii) debate on a veto message in the
11 Senate under this section shall be 1 hour
12 equally divided between the majority and
13 minority leaders or their designees.

14 “(5) VETO OVERRIDE.—If within the appro-
15 priate calendar day period described in subsection
16 (b)(1), Congress overrides a veto of the joint resolu-
17 tion with respect to authority exercised pursuant to
18 paragraph (1) or (2) of subsection (a), the limit on
19 debt provided in section 3101(b) shall not be raised,
20 except for the \$416,000,000,000 increase in the
21 limit provided by subsection (a)(1)(A)(i).

22 “(6) SEQUESTER.—

23 “(A) IN GENERAL.—If within the 55 cal-
24 endar days of receiving the certification de-
25 scribed in subsection (a)(1), Congress overrides

1 a veto of the joint resolution with respect to au-
2 thority exercised pursuant to paragraph (1) of
3 subsection (a), OMB shall, immediately, seques-
4 ter pro rata amounts from all discretionary and
5 direct spending accounts as defined in section
6 250(c) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985 (2 U.S.C. 900(e))
8 (as in effect September 30, 2006) equal to
9 \$416,000,000,000. No reduction of payments
10 for net interest (all of major functional category
11 900) shall be made under any order issued
12 under this paragraph.

13 “(B) APPLICATION.—Section 255 of the
14 Balanced Budget and Emergency Deficit Con-
15 trol Act of 1985 shall not apply to this section,
16 except that payments for military personnel ac-
17 counts (within subfunctional category 051),
18 TRICARE for Life, Medicare (functional cat-
19 egory 570), military retirement, Social Security
20 (functional category 650), veterans (functional
21 category 700), and net interest (functional cat-
22 egory 900) shall be exempt.

23 “(g) RULES OF HOUSE OF REPRESENTATIVES AND
24 SENATE.—This subsection and subsections (b), (c), (d),
25 (e) and (f) are enacted by Congress—

1 “(1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such it is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of a joint resolution, and it super-
7 sedes other rules only to the extent that it is incon-
8 sistent with such rules; and

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