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**BIPARTISAN BUDGET ACT OF 2013**

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## CONTINUING APPROPRIATIONS RESOLUTION, 2014

(BIPARTISAN BUDGET ACT OF 2013)

PUBLIC LAW 113-67, 127 STAT. 1165; DECEMBER 26, 2013; H. J. RES. 59

Sponsor:	Representative Harold Rogers
September 10, 2013	Introduced in House.
September 20, 2013	Passed/agreed to in House: On passage Passed by recorded vote: 230 - 189 (Roll No. 478).
September 27, 2013	Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 54 - 44. Record Vote Number: 209.
September 29, 2013	Resolving differences – House actions: On agreeing to the Senate amendment with amendment #1 Agreed to by the Yeas and Nays: 248 - 174 (Roll no. 497).
September 30, 2013	Resolving differences – House actions: On receding from the House amendments, and concurring in the Senate amendment with amendment Agreed to by recorded vote: 228 - 201 (Roll no. 504).
December 12, 2013	Resolving differences – House actions: On motion that the House recede and concur with an amendment in the Senate amendment Agreed to by recorded vote: 332 - 94 (Roll no. 640).
December 18, 2013	Resolving differences – Senate actions: Senate agreed to the House amendment to the Senate amendment by Yea-Nay Vote. 64 - 36. Record Vote Number: 281.
December 19, 2013	Presented to President.
December 26, 2013	Signed by President.
December 26, 2013	Became Public Law 113-67

# BIPARTISAN BUDGET ACT OF 2013

[PUBLIC LAW 113-67, 127 STAT. 1165; DECEMBER 26, 2013; H. J. Res. 59]

## JOINT RESOLUTION

Making continuing appropriations for fiscal year 2014, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That

## DIVISION A—BIPARTISAN BUDGET AGREEMENT

### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the “Bipartisan Budget Act of 2013”.<sup>270</sup>

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

#### DIVISION A—BUDGET ENFORCEMENT AND DEFICIT REDUCTION

Sec. 1. Short title and table of contents.

#### TITLE I—BUDGET ENFORCEMENT

##### SUBTITLE A—AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

##### SUBTITLE B—ESTABLISHING A CONGRESSIONAL BUDGET

Sec. 111. Fiscal year 2014 budget resolution.

Sec. 112. Limitation on advance appropriations in the Senate.

Sec. 113. Rule of construction in the House of Representatives.

Sec. 114. Additional Senate budget enforcement.

Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.

Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.

Sec. 117. Exclusion of savings from PAYGO scorecards.

Sec. 118. Exercise of rulemaking powers.

##### SUBTITLE C—TECHNICAL CORRECTIONS

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

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<sup>270</sup> H. J. Res. 59 included the Bipartisan Budget Act of 2013. It became Public Law 113-67 on December 26, 2013. It included budget-related provisions in Title I, found here. “Division A” included “Titles II—Prevention of Waste, Fraud, and Abuse; Title III—Natural Resources; Title IV—Federal and Civilian Military Retirement; Title V—Higher Education; Title VI—Transportation; Title VII—Miscellaneous Provisions. The Act included “Division B—Medicare and Other Health Related Provisions”. These are omitted. Originally an appropriations Act, it did not include annual appropriations.

## TITLE I—BUDGET ENFORCEMENT

### Subtitle A—Amendments To the Balanced Budget and Emergency Deficit Control Act Of 1985

#### SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (1) through (10) and inserting the following new paragraphs:<sup>271</sup>

“(1) for fiscal year 2014—

“(A) for the revised security category, \$520,464,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$491,773,000,000 in new budget authority;

“(2) for fiscal year 2015—

“(A) for the revised security category, \$521,272,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$492,356,000,000 in new budget authority;

“(3) for fiscal year 2016—

“(A) for the revised security category, \$577,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$530,000,000,000 in new budget authority;

“(4) for fiscal year 2017—

“(A) for the revised security category, \$590,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$541,000,000,000 in new budget authority;

“(5) for fiscal year 2018—

“(A) for the revised security category, \$603,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$553,000,000,000 in new budget authority;

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<sup>271</sup> Discretionary spending limits, as revised by the *Bipartisan Budget Act of 2013* (BBA of 2013), enforce levels for the security and nonsecurity categories for fiscal years 2014 and 2015. The BBA of 2013 did not revise the levels for fiscal years 2016 through 2021, but did amend sections 251 and 251A of BBEDCA, where those limits live, to more accurately reflect these limits. Under section 251A of BBEDCA, the limits are annually revised downward by OMB’s Sequestration Preview Report, which is included in the President’s budget submission required by 31 U.S. C. 1105(a), see §305, *infra*.

“(6) for fiscal year 2019—

“(A) for the revised security category, \$616,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$566,000,000,000 in new budget authority;

“(7) for fiscal year 2020—

“(A) for the revised security category, \$630,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$578,000,000,000 in new budget authority; and

“(8) for fiscal year 2021—

“(A) for the revised security category, \$644,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$590,000,000,000 in new budget authority.”.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2014 AND 2015.—(1) Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d), is amended by adding at the end the following new paragraph:

“(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.”.

(2) Paragraph (5)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d)(2)(C) of this section, is amended by striking “On” and inserting “Except as provided by paragraph (10), on”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2022 AND 2023.—Paragraph (6), as redesignated by subsection (d)(2)(C) of this section, of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “(A)” before “On the date” and by adding at the end the following new subparagraph:

“(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—

“(i) the percentage reduction for nonexempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

“(ii) the percentage reduction for nonexempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).”

(d) CONFORMING AMENDMENTS.—Part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 250(c)(4) (2 U.S.C. 900(c)(4)), by adding at the end the following:

“(D) The term ‘revised security category’ means discretionary appropriations in budget function 050.

“(E) The term ‘revised nonsecurity category’ means discretionary appropriations other than in budget function 050.

“(F) The term ‘category’ means the subsets of discretionary appropriations in section 251(c). Discretionary appropriations in each of the categories shall be those designated in the joint explanatory statement accompanying the conference report on the Balanced Budget Act of 1997. New accounts or activities shall be categorized only after consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall, to the extent practicable, include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to new accounts or activities.”; and

(2) in section 251A (2 U.S.C. 901a)—

(A) by striking, in the matter preceding paragraph (1), “Unless” through “as follows:” and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

- (G) in paragraph (5), as redesignated—
- (i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”; and
  - (ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;
- (H) in paragraph (6), as redesignated—
- (i) by striking “paragraph (4)” and inserting “paragraph (2)”; and
  - (ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;
- (I) in paragraph (7), as redesignated—
- (i) by striking “paragraph (8)” and inserting “paragraph (6)”; and
  - (ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”; and
- (J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

## Subtitle B—Establishing A Congressional Budget

### SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.

(a) FISCAL YEAR 2014.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2014, and enforcing, in the Senate, budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the same manner as for a concurrent resolution on the budget for fiscal year 2014 with appropriate budgetary levels for fiscal year 2014 and for fiscal years 2015 through 2023.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—The Chairmen of the Committee on the Budget of the House of Representatives<sup>272</sup> and the Senate<sup>273</sup> shall each submit a statement for publication in the Congressional Record as soon as practicable after the date of enactment of this Act that includes—

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<sup>272</sup> Representative Paul D. Ryan inserted into the Congressional Record “Publication of Budgetary Material”, page H222, the allocations for the Committee on Appropriations of the House for fiscal year 2014. On January 27, 2014, Rep. Ryan further published allocations for authorizing committees (Congressional Record, page H1428) as required under this section.

<sup>273</sup> Senator Patty Murray inserted “Budget Enforcement Details” into the Congressional Record (Page S361, January 15, 2014) required here: relevant aggregates and Committee allocations for fiscal years 2014, 2014 through 2018, 2014 through 2023, and Social Security levels.

(1) for the Committee on Appropriations of that House, committee allocations for fiscal year 2014 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of that House other than the Committee on Appropriations, committee allocations for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2014 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) in the Senate only, levels of Social Security revenues and outlays for fiscal year 2014 and for the periods of fiscal years 2014 through 2018 and 2014 through 2023 consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) FURTHER ADJUSTMENTS.—After the date of enactment of this Act, the Chairman of the Committee on the Budget of the House of Representatives may reduce the aggregates, allocations, and other budgetary levels included in the statement of the Chairman of the Committee on the Budget of the House of Representatives referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.



**SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN THE SENATE.****(a) POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.—****(1) IN GENERAL.—**

(A) POINT OF ORDER.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(B) DEFINITION.—In this subsection, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

**(2) EXCEPTIONS.—Advance appropriations may be provided—**

(A) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in a statement submitted to the Congressional Record by the Chairman of the Committee on the Budget of the Senate under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each fiscal year;

(B) for the Corporation for Public Broadcasting; and

(C) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

**(3) SUPERMAJORITY WAIVER AND APPEAL.—**

(A) Waiver.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—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 paragraph (1).

(4) FORM OF POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

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

(6) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111<sup>th</sup> Congress) shall no longer apply.<sup>274</sup>

(b) EXPIRATION.—Subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

#### SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REPRESENTATIVES.

In the House of Representatives, for the remainder of the 113th Congress, the provisions of H. Con. Res. 25 (113th Congress)<sup>275</sup>, as deemed in force by H. Res. 243 (113th Congress),<sup>276</sup> shall remain in force to the extent its budgetary levels are not superseded by this subtitle or by further action of the House of Representatives.<sup>277</sup>

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<sup>274</sup> Section 402 of S. Con. Res. 13 (111<sup>th</sup> Congress) set forth the point of order against advance appropriations in the Senate. This point of order was replaced under the terms of this subsection.

<sup>275</sup> H. Con. Res. 25 considered and passed the House of Representatives on March 21, 2013.

<sup>276</sup> H. Res. 243 deemed H. Con. Res. 25 as it passed the House of Representatives, to be in force as the budget resolution for fiscal year 2014. Section 113 affirmed H. Con. Res. 25 to be in force, but only to the extent it was consistent with the levels included in the Bipartisan Budget Act of 2013.

<sup>277</sup> No further action was taken on H. Con. Res. 25. This concurrent resolution was originally deemed in force by H. Res. 243, which was then superseded by the BBA of 2013. See note #251. It was deemed in force again for the 114<sup>th</sup> Congress by H. Res. 5 until a budget was adopted for fiscal year 2015. The deeming resolution extended H. Con. Res. 25, adding a reserve fund for measures improving solvency in the Highway Trust Fund.

**SEC. 114. ADDITIONAL SENATE ENFORCEMENT.****(a) SENATE PAY-AS-YOU-GO SCORECARD.—**

(1) **IN GENERAL.**—Effective on the date of enactment of this Act, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(2) **FISCAL YEAR 2015.**—After April 15, 2014, but not later than May 15, 2014, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(3) **PUBLICATION.**—Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman of the Committee on the Budget of the Senate shall publish a notification of such action in the Congressional Record.

**(b) FURTHER ADJUSTMENTS.**—With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this subtitle, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

**(c) DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits set pursuant to this subtitle for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) to repeal or revise the enforcement procedures established under that section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2014 through 2023. For purposes of determining deficit-neutrality under this subsection, the Chairman may include the estimated effects of any amendment or amendments to 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)).<sup>278</sup>

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<sup>278</sup> See page S67 of the Congressional Record (January 7, 2014) for a Colloquy between Senators Patty Murray and Rob Portman, who asked if “the intent of the reserve fund under section 114 (c) is to be available to adjust certain budgetary levels for deficit-neutral legislation that would replace sequestration?” Responding affirmatively, Senator Murray stated legislation altering the statutory limits is in the Budget Committee jurisdiction so a section 306 Budget Act point of order applies. She also stated section 312(b) of that Act would apply against legislation causing the statutory limits on discretionary spending to be exceeded. Both apply despite section 114(c).

(d) **ADDITIONAL DEFICIT-NEUTRAL RESERVE FUNDS.**—In the Senate only, sections 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341, 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365, 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S. Con. Res. 8 (113th Congress), as passed the Senate, shall have force and effect.

(e) **EXPIRATION.**—Subsections (a)(2), (c), and (d) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.**<sup>279</sup>

(a) **FISCAL YEAR 2015.**—If a concurrent resolution on the budget for fiscal year 2015 has not been adopted by April 15, 2014, for the purpose of enforcing the Congressional Budget Act of 1974, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives after April 15, 2014, in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal year 2015 and for fiscal years 2016 through 2024.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—In the House of Representatives, the Chairman of the Committee on the Budget shall submit a statement for publication in the Congressional Record after April 15, 2014, but not later than May 15, 2014,<sup>280</sup> containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2015 at the total level as set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Ap-

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<sup>279</sup> H. Con. Res. 96 passed the House of Representatives on April 10, 2014 as the Concurrent Resolution on the Budget for Fiscal Year 2015. It was, however, not deemed to be in force, and no further legislative action was taken on the measure in the 113<sup>th</sup> Congress. Its provisions were not extended into the 114<sup>th</sup> Congress, and hence it expired as a legislative measure and had no force or effect as the budget resolution for fiscal year 2015. The budget resolution year 2015 was enforced through H. Res. 5 of the 114<sup>th</sup> Congress which deemed provisions of H. Con. Res. 25 to be in force for fiscal year 2015.

<sup>280</sup> Chairman Paul D. Ryan placed the aggregates, allocations, and other budgetary levels required by this section into the Congressional Record on April 29, 2014. These levels are on page H3288 of the Congressional Record (113<sup>th</sup> Congress). They were deemed in force for fiscal year 2015 by H. Res. 5 (114<sup>th</sup> Congress), which deemed H. Con. Res. 25 instead of the House-passed budget resolution for fiscal year 2015, H. Con. Res. 96).

propriations, committee allocations for fiscal year 2015 and for the period of fiscal years 2015 through 2024 at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974; and

(3) aggregate spending levels for fiscal year 2015 and aggregate revenue levels for fiscal year 2015 and for the period of fiscal years 2015 through 2024, at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) **ADDITIONAL MATTER.**—The statement referred to in subsection (b) may also include for fiscal year 2015, the matter contained in title IV (reserve funds) and in sections 601, 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated by one fiscal year, including updated amounts for section 601.

(d) **FISCAL YEAR 2015 ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS.**—If the statement referred to in subsection (b) is not filed by May 15, 2014, then the matter referred to in subsection (b)(1) shall be submitted by the Chairman of the Committee on the Budget for publication in the Congressional Record on the next day that the House of Representatives is in session.

(e) **ADJUSTMENTS.**—The Chairman of the Committee on the Budget of the House of Representatives may adjust the levels included in the statement referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit or as otherwise necessary.<sup>281</sup>

(f) **APPLICATION.**—Subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.<sup>282</sup>

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<sup>281</sup> Section 115(e) authorizes the House Budget Chairman to adjust levels for laws enacted in the 113<sup>th</sup> Congress, and other “necessary” adjustments.

<sup>282</sup> Neither Chamber adopted a fiscal year 2015 budget resolution, so these subsections applied until a fiscal year 2016 budget resolution was adopted.

**SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE SENATE.**

(a) **FISCAL YEAR 2015.**—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2014, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal years 2014 and 2016 through 2024.<sup>283</sup>

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—After April 15, 2014, but not later than May 15, 2014, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal years 2014 and 2015 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal years 2014 and 2015 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

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<sup>283</sup> “On January 15, I filed the first of the two budgets in the Senate for fiscal year 2014. Today, pursuant to section 116 of the Bipartisan Budget Act of 2013, I am filing the budget in the Senate for fiscal year 2015.” Senator Patty Murray, p. S2640, Cong. Rec. (113<sup>th</sup> Congress). The House adopted a budget resolution for fiscal year 2015, H. Con. Res. 96, but instead of deeming that resolution in force, the House Budget Committee went in a different direction and deemed the previous year’s budget resolution, H. Con. Res. 25, to be in force, under the terms of the BBA of 2013.

(c) **ADDITIONAL MATTER.**—The filing referred to in subsection (b) may also include, for fiscal year 2015, the reserve funds included in section 114(c) and (d) of this Act, updated by one fiscal year.

(d) **SUPERSEDING PREVIOUS STATEMENT.**—In the Senate, the filing referred to in subsection (b) shall supersede the statement referred to in section 111(b) of this Act.

(e) **EXPIRATION.**—This section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.<sup>284</sup>

**SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORECARDS.**

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.<sup>285</sup>

(b) **SENATE PAYGO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).<sup>286</sup>

**SEC. 118. EXERCISE OF RULEMAKING POWERS.**

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

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

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<sup>284</sup> A budget resolution was not adopted by Congress for fiscal year 2015 so the provisions referred to here stayed in effect until superseded by the Concurrent Resolution on the Budget for Fiscal Year 2016.

<sup>285</sup> Section 117(a) excludes the budgetary effects of BBA 2013 from the Statutory Pay-As-You-Go scorecards. OMB does not count the effects calculating sequestration under the *Statutory Pay-As-You-Go Act of 2010*.

<sup>286</sup> Section 117(b), similar to subsection (a) of this section, excludes the budgetary effects of the *Bipartisan Budget Act of 2013* from the Senate Pay-As-You-Go scorecard. Therefore, in applying the point of order under that provision, included in S. Con. Res. 21 (110<sup>th</sup> Congress), the budget effects of this Act will not count when considering legislation comes to the floor of the Senate. The Senate Paygo Scorecard (often referred to as the Senate Paygo Ledger) was also set to zero under section 114 of this Act.

## Subtitle C—Technical Corrections

### SEC. 121. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) In section 252(b)(2)(B), strike “applicable to budget year” and insert “applicable to the budget year”.

(2) In section 252(c)(1)(C)(i), strike “paragraph (1)” and insert “subsection (b)”.

(3) In section 254(c)(3)(A), strike “subsection 252(b)” and insert “section 252(b)”.

(4) In section 254(f)(4), strike “subsection 252(b)” and insert “section 252(b)”.

(5) In section 255(a), strike “section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code” and insert “sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)”.

(6) In section 255(h), in the item relating to Federal Pell Grants, strike “section 401 Title IV” and insert “section 401 of title IV”.

(7) In the first subsection (j) of section 255 (relating to Split Treatment Programs), move the margins for the list items two ems to the right.

(8) Redesignate the second subsection (j) of section 255 (relating to Identification of Programs) as subsection (k).

(9) In section 257(b)(2)(A)(i), strike “differenes” and insert “differences”.

(10) In section 258(a)(1), strike “section 254(j)” and insert “section 254(i)”.

### SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRESSIONAL BUDGET ACT OF 1974.

The Congressional Budget Act of 1974 is amended as follows:

(1) In sections 301(a)(6) and 301(a)(7), strike “For purposes” and insert “for purposes”.

(2) In section 301(a), in the matter following paragraph (7), strike “old age” and insert “old-age”.

(3) In section 302(g)(2)(A), strike “committee on the Budget” and insert “Committee on the Budget”.

(4) In section 305(a)(1), strike “clause 2(l)(6) of rule XI” and insert “clause 4 of rule XIII”.

(5) In section 305(a)(5), strike “provisions of rule XXIII” and insert “provisions of rule XVIII”.



(6) In section 305(b)(1), strike “section 304(a)” and insert “section 304”.

(7) In section 306 strike “No” and insert “(a) In The Senate.—In the Senate, no”, strike “of either House” and “in that House”, strike “of that House”, and add at the end the following new subsection:

“(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.”.

(8) In section 308(d), in the subsection heading, strike “Scorekeeping Guidelines.—” and insert “SCOREKEEPING GUIDELINES.—”.

(9) In section 310(c)(1)(A)(i) and (ii), strike “under that paragraph by more than” and insert “under that paragraph by more than—”.

(10) In section 314(d)(2), strike subparagraph (A), redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively, in subparagraph (A), as redesignated, strike “under subparagraph (A)” and insert “under paragraph (1)”, and in subparagraph (B), as redesignated, strike “under subparagraph (B)” and insert “under subparagraph (A)”.

(11) In section 315, add at the end the following new sentence: “In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 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.”.

(12) In section 401(b)(2), strike “section 302(b)” and insert “section 302(a)”.

(13) In section 401(c), add at the end the following new paragraph:

“(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.”.

(14) In section 421(5)(A)(i)(II), strike “subparagraph (B)” and insert “subparagraph (B)”.

(15) In section 505(c), strike “section 406(b)” both places it appears and insert “section 405(b)”.

(16) In section 904(c)(2), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 314(e)” and insert “314(e), and 314(f)”.

(17) In section 904(d)(3), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 312(c)” and insert “312(c), 314(e), and 314(f)”