

BUDGET CONTROL ACT OF 2011

[Pub. L. 112–25; 125 Stat. 240; Aug. 2, 2011; Statutes At Large]

CHANGES IN EXISTING LAW

Changes in existing law made by the Budget Control Act of 2011 are shown as follows: Existing law omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman).

Sec. 105 of Title I of the Budget Control Act of 2011 amended section 314 of the Congressional Budget Act of 1974. The drafter mistakenly left sections of the House emergency designation in subsection (d)(2), making the section redundant. The Bipartisan Budget Act of 2013 (Pub. L. 113-69) fixed that error. The BCA amended section 314 (CBA) to read as follows:

ADJUSTMENTS

Sec. 314. [(a) ADJUSTMENTS.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution, the offering of an amendment thereto, or the submission of a conference report thereon, the chairman of the Committee on the Budget of the House of Representatives or the Senate shall make the adjustments set forth in paragraph (2) for the amount of new budget authority in that measure (if that measure meets the requirements set forth in subsection (b)) and the outlays flowing from that budget authority.]

[(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to—

(A) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

(B) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a); and

(C) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget.]

(a) *ADJUSTMENTS.*—After the reporting of a bill or joint resolution or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget of the House of Representatives or the Senate may make appropriate budgetary adjustments of new budget authority and the outlays flowing therefrom in the same amount as required by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.¹

[(b) AMOUNTS OF ADJUSTMENTS. ²]—The adjustment referred to in subsection (a) shall be—

[(1) an amount provided and designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985;

[(2) an amount provided for continuing disability reviews subject to the limitations in section 251(b)(2)(C) of that Act;

[(3) for any fiscal year through 2002, an amount provided that is the dollar equivalent of the Special Drawing Rights with respect to—

[(A) an increase in the United States quota as part of the International Monetary Fund Eleventh General Review of Quotas (United States Quota); or

[(B) any increase in the maximum amount available to the Secretary of the Treasury pursuant to section 17 of the Bretton Woods Agreements Act, as amended from time to time (New Arrangements to Borrow);

[(4) an amount provided not to exceed \$1,884,000,000 for the period of fiscal years 1998 through 2000 for arrearages for international organizations, international peacekeeping, and multilateral development banks;

[(5) an amount provided for an earned income tax credit compliance initiative but not to exceed—

[(A) with respect to fiscal year 1998, \$138,000,000 in new budget authority;

[(B) with respect to fiscal year 1999, \$143,000,000 in new budget authority;

[(C) with respect to fiscal year 2000, \$144,000,000 in new budget authority;

[(D) with respect to fiscal year 2001, \$145,000,000 in new budget authority; and

[(E) with respect to fiscal year 2002, \$146,000,000 in new budget authority; or

[(6) in the case of an amount for adoption incentive

payments (as defined in section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985) for fiscal year 1999, 2000, 2001, 2002, or 2003 for the Department of Health and Human Services, an amount not to exceed \$20,000,000.

[(c)] (b) APPLICATION OF ADJUSTMENTS³.—The adjustments made pursuant to subsection (a) for legislation shall—

(1) apply while that legislation is under consideration;

(2) take effect upon the enactment of that legislation;

and

(3) be published in the Congressional Record as soon as practicable.

[(d)] (c) REPORTING REVISED SUBALLOCATIONS.⁴—Following any adjustment made under subsection (a), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations under section 302(b) to carry out this section.

[(e)] DEFINITIONS FOR CDRS.⁵ —As used in subsection (b)(2)—

(1) the term “continuing disability reviews” shall have the same meaning as provided in section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; and]

[(2) the term “new budget authority” shall have the same meaning as the term “additional new budget authority” and the term “outlays” shall have the same meaning as “additional outlays” in that section.]

(d) EMERGENCIES IN THE HOUSE OF REPRESENTATIVES.⁶—(1) *In the House of Representatives, if a reported bill or joint resolution, or amendment thereto or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue, and a designation of such provision as an emergency requirement pursuant to 251(b)(2)(A)20 of the Balanced Budget and Emergency Deficit Control Act of 1985, the chair of the Committee on the Budget of the House of Representatives shall not count the budgetary effects of such provision for purposes of title III and title IV of the Congressional Budget Act of 1974 and the Rules of the House of Representatives.*

(2)(A) *In the House of Representatives, if a reported bill or joint resolution, or amendment thereto or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue, and a*

designation of such provision as an emergency pursuant to paragraph (1), the chair of the Committee on the Budget shall not count the budgetary effects of such provision for purposes of this title and title IV and the Rules of the House of Representatives.

(B) In the House of Representatives, a proposal to strike a designation under subparagraph (A) shall be excluded from an evaluation of budgetary effects for purposes of this title and title IV and the Rules of the House of Representatives.

(C) An amendment offered under subparagraph (B) that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

(e) ENFORCEMENT OF DISCRETIONARY SPENDING CAPS. ⁷—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause the discretionary spending limits as set forth in section 251 of the Balanced Budget and Emergency Deficit Control Act to be exceeded.

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1. Section 105(a)(1) (BCA) struck and replaced subsection (a).
 2. Section 105(a)(2) (BCA) struck subsection (b).
 3. Section 105(a)(2) (BCA) redesignated subsection (c) as (b).
 4. Section 105(a)(2) (BCA) redesignated subsection (d) as (c).
 5. Section 105(a)(2) (BCA) struck the then existing subsection (e).
 6. Section 105(a)(3) (BCA) added new subsection (d).
 7. Section 105(a)(3) (BCA) added new subsection (e).