

to in subparagraph (B) to reflect the additional new budget authority provided for such grants in that measure or conference report and the outlays resulting therefrom, consistent with subparagraph (D).

(B) Types of adjustments

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

(i) the discretionary spending limits for that fiscal year as set forth in the most recently adopted concurrent resolution on the budget;

(ii) the allocations to the Committees on Appropriations of the Senate and the House of Representatives for that fiscal year under section 633(a) of this title; and

(iii) the appropriate budget aggregates for that fiscal year in the most recently adopted concurrent resolution on the budget.

(C) Enforcement

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

(D) Limitation

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

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

(E) Definition

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

(2) Report on 633(b) level

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

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

REFERENCES IN TEXT

This Act, referred to in subsec. (g)(1)(C), is Pub. L. 115-123, Feb. 9, 2018, 132 Stat. 64, known as the Bipartisan Budget Act of 2018. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note set out under section 1305 of Title 42, The Public Health and Welfare, and Tables.

AMENDMENTS

2018—Subsec. (g). Pub. L. 115-123 added subsec. (g).

2013—Subsec. (d)(2). Pub. L. 113-67 redesignated subpar. (B) as (A) and substituted “under paragraph (1)” for “under subparagraph (A)”, redesignated subpar. (C) as (B) and substituted “under subparagraph (A)” for “under subparagraph (B)”, and struck out former subpar. (A) which read as follows: “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 subchapter and subchapter II and the Rules of the House of Representatives.”

2011—Subsec. (a). Pub. L. 112-25, §105(a)(1), added subsec. (a) and struck out former subsec. (a) which related to general adjustment provisions and described the matters to be adjusted.

Subsecs. (b) to (d). Pub. L. 112-25, §105(a)(2), (3), added subsec. (d), redesignated former subsecs. (c) and (d) as (b) and (c), respectively, and struck out former subsec. (b) which related to amounts of adjustments.

Subsec. (e). Pub. L. 112-78, §511(2), added subsec. (e). Former subsec. (e) redesignated (f).

Pub. L. 112-25, §105(a)(2), (3), added subsec. (e) and struck out former subsec. (e) which defined “continuing disability reviews” and “new budget authority” as used in former subsec. (b)(2).

Subsec. (f). Pub. L. 112-78, §511(1), redesignated subsec. (e) as (f).

1997—Subsec. (b)(6). Pub. L. 105-89 added par. (6).

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-89 effective Nov. 19, 1997, except as otherwise provided, with delay permitted if State legislation is required, see section 501 of Pub. L. 105-89, set out as a note under section 622 of Title 42, The Public Health and Welfare.

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

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

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

AMENDMENTS

2013—Pub. L. 113-67 inserted at end “In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 634 of this title shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.”

SUBCHAPTER II—FISCAL PROCEDURES

PART A—GENERAL PROVISIONS

§ 651. Budget-related legislation not subject to appropriations**(a) Controls on certain budget-related legislation not subject to appropriations**

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

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

unless that bill, joint resolution, amendment, motion, or conference report also provides that the new authority is to be effective for any fiscal year only to the extent or in the amounts provided in advance in appropriation Acts.

(b) Legislation providing new entitlement authority

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

(2) If any committee of the House of Representatives or the Senate reports any bill or resolution which provides new entitlement authority which is to become effective during a fiscal year and the amount of new budget authority which will be required for such fiscal year if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported under section 633(a) of this title in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations of the Senate or may then be referred to the Committee on Appropriations of the House, as the case may be, with instructions to report it, with the committee's recommendations, within 15 calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations of either House fails to report a bill or resolution referred to it under this paragraph within such 15-day period, the committee shall automatically be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the appropriate calendar.

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

(c) Exceptions

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

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

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

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

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

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

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

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

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (c)(1)(A), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The Internal Revenue Code of 1986, referred to in subsec. (c)(1)(B), is classified generally to Title 26, Internal Revenue Code.

CODIFICATION

In subsec. (c)(2)(A), “section 9101(2) of title 31”, “section 9101(3) of title 31”, and “chapter 91 of title 31” were substituted for “section 201 of the Government Corporation Control Act [31 U.S.C. 856]”, “section 101 of such Act [31 U.S.C. 846]”, and “that Act”, respectively, on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.