

116TH CONGRESS
1ST SESSION

H. R. 3877

AN ACT

To amend the Balanced Budget and Emergency Deficit Control Act of 1985, to establish a congressional budget for fiscal years 2020 and 2021, to temporarily suspend the debt limit, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bipartisan Budget Act
3 of 2019”.

4 **TITLE I—BUDGET**
5 **ENFORCEMENT**

6 **SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND**
7 **EMERGENCY DEFICIT CONTROL ACT OF 1985.**

8 (a) REVISED DISCRETIONARY SPENDING LIMITS.—
9 Section 251(c) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended
11 by striking paragraphs (7) and (8) and inserting the fol-
12 lowing:

13 “(7) for fiscal year 2020—

14 “(A) for the revised security category,
15 \$666,500,000,000 in new budget authority; and

16 “(B) for the revised nonsecurity category,
17 \$621,500,000,000 in new budget authority; and

18 “(8) for fiscal year 2021—

19 “(A) for the revised security category,
20 \$671,500,000,000 in new budget authority; and

21 “(B) for the revised nonsecurity category,
22 \$626,500,000,000 in new budget authority;”.

23 (b) OVERSEAS CONTINGENCY OPERATIONS
24 AMOUNTS.—In fiscal years 2020 and 2021, the adjust-
25 ments under section 251(b)(2)(A) of the Balanced Budget
26 and Emergency Deficit Control Act of 1985 (2 U.S.C.

1 901(b)(2)(A)) for Overseas Contingency Operations/Glob-
2 al War on Terrorism appropriations will be as follows:

3 (1) For the revised nonsecurity category—

4 (A) for fiscal year 2020, \$8,000,000,000;

5 and

6 (B) for fiscal year 2021, \$8,000,000,000.

7 (2) For the revised security category—

8 (A) for fiscal year 2020, \$71,500,000,000;

9 and

10 (B) for fiscal year 2021, \$69,000,000,000.

11 This subsection shall not affect the applicability of section
12 251(b)(2)(A) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 (c) NEW ADJUSTMENT FOR THE U.S. CENSUS FOR
15 2020.—Section 251(b)(2) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985 (2 U.S.C.
17 901(b)(2)) is amended by adding at the end the following
18 new subparagraph:

19 “(G) THE 2020 CENSUS.—If, for fiscal year
20 2020, appropriations for the Periodic Censuses
21 and Programs account of the Bureau of the
22 Census of the Department of Commerce are en-
23 acted that the Congress designates in statute as
24 being for the 2020 Census, then the adjustment
25 for that fiscal year shall be the total of such ap-

1 propriations for that fiscal year designated as
2 being for the 2020 Census, but shall not exceed
3 \$2,500,000,000.”.

4 (d) DIRECT SPENDING ADJUSTMENTS FOR FISCAL
5 YEARS 2020 AND 2021.—Section 251A of the Balanced
6 Budget and Emergency Deficit Control Act of 1985 (2
7 U.S.C. 901a), is amended—

8 (1) in paragraph (5)(B), in the matter pre-
9 ceding clause (i), by striking “and (12)” and insert-
10 ing “(12), and (13)”; and

11 (2) by adding at the end the following:

12 “(13) IMPLEMENTING DIRECT SPENDING RE-
13 DUCTIONS FOR FISCAL YEARS 2020 AND 2021.—(A)
14 OMB shall make the calculations necessary to imple-
15 ment the direct spending reductions calculated pur-
16 suant to paragraphs (3) and (4) without regard to
17 the amendment made to section 251(c) revising the
18 discretionary spending limits for fiscal years 2020
19 and 2021 by the Bipartisan Budget Act of 2019.

20 “(B) Paragraph (5)(B) shall not be imple-
21 mented for fiscal years 2020 and 2021.”.

22 **SEC. 102. BALANCES ON THE PAYGO SCORECARDS.**

23 Effective on the date of the enactment of this Act,
24 the balances on the PAYGO scorecards established pursu-
25 ant to paragraphs (4) and (5) of section 4(d) of the Statu-

1 tory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)) shall
2 be zero.

3 **TITLE II—ESTABLISHING A**
4 **CONGRESSIONAL BUDGET**

5 **SEC. 201. ADJUSTMENT AUTHORITY FOR FISCAL YEAR 2020**

6 **BUDGET RESOLUTION IN THE HOUSE OF**
7 **REPRESENTATIVES.**

8 Upon the date of the enactment of this Act—

9 (1) the Chair of the Committee on the Budget
10 of the House of Representatives may adjust the allo-
11 cations, aggregates, and other budgetary levels in-
12 cluded in the statement referred to in section 1(b)
13 of House Resolution 293 (116th Congress) con-
14 sistent with this Act; and

15 (2) subsections (e), (f), and (g) of section 1 of
16 House Resolution 293 (116th Congress) shall have
17 no force or effect through the remainder of the One
18 Hundred Sixteenth Congress.

19 **SEC. 202. AUTHORITY FOR FISCAL YEAR 2021 BUDGET RES-**

20 **OLUTION IN THE HOUSE OF REPRESENTA-**
21 **TIVES.**

22 (a) FISCAL YEAR 2021.—If a concurrent resolution
23 on the budget for fiscal year 2021 has not been adopted
24 by April 15, 2020, for the purpose of enforcing the Con-
25 gressional Budget Act of 1974 for fiscal year 2021, the

1 allocations, aggregates, and levels provided for in sub-
2 section (b) shall apply in the House of Representatives
3 after April 15, 2020, in the same manner as for a concur-
4 rent resolution on the budget for fiscal year 2021 with
5 appropriate budgetary levels for fiscal year 2021 and for
6 fiscal years 2022 through 2030.

7 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
8 LEVELS.—In the House of Representatives, the Chair of
9 the Committee on the Budget shall submit a statement
10 for publication in the Congressional Record after April 15,
11 2020, but not later than May 15, 2020, containing—

12 (1) for the Committee on Appropriations, com-
13 mittee allocations for fiscal year 2021 consistent
14 with discretionary spending limits set forth in sec-
15 tion 251(c)(8) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985, as amended by
17 this Act, and the outlays flowing therefrom, and
18 committee allocations for fiscal year 2021 for cur-
19 rent law mandatory budget authority and outlays,
20 for the purpose of enforcing section 302 of the Con-
21 gressional Budget Act of 1974;

22 (2) for all committees of the House of Rep-
23 resentatives other than the Committee on Appropria-
24 tions, committee allocations for fiscal year 2021 and
25 for the period of fiscal years 2021 through 2030

1 consistent with the most recent baseline of the Con-
2 gressional Budget Office, as adjusted, to the extent
3 practicable, for the budgetary effects of any provi-
4 sion of law enacted during the period beginning on
5 the date such baseline is issued and ending on the
6 date of submission of such statement, for the pur-
7 pose of enforcing section 302 of the Congressional
8 Budget Act of 1974;

9 (3) aggregate spending levels for fiscal year
10 2021 in accordance with the allocations established
11 under paragraphs (1) and (2), for the purpose of en-
12 forcing section 311 of the Congressional Budget Act
13 of 1974; and

14 (4) aggregate revenue levels for fiscal year 2021
15 and for the period of fiscal years 2021 through 2030
16 consistent with the most recent baseline of the Con-
17 gressional Budget Office, as adjusted, to the extent
18 practicable, for the budgetary effects of any provi-
19 sion of law enacted during the period beginning on
20 the date such baseline is issued and ending on the
21 date of submission of such statement, for the pur-
22 pose of enforcing section 311 of the Congressional
23 Budget Act of 1974.

24 (c) ADDITIONAL MATTER.—The statement referred
25 to in subsection (b) may also include for fiscal year 2021

1 the matter contained in the provisions referred to in sub-
2 section (e).

3 (d) ADJUSTMENTS.—The Chair of the Committee on
4 the Budget of the House of Representatives may adjust
5 the allocations, aggregates, and other budgetary levels in-
6 cluded in the statement referred to in subsection (b)—

7 (1) to reflect changes resulting from the Con-
8 gressional Budget Office’s updates to its baseline for
9 fiscal years 2021 through 2030; or

10 (2) for any bill, joint resolution, amendment, or
11 conference report by the amounts provided in such
12 measure if such measure would not increase the def-
13 icit for either of the following time periods: fiscal
14 year 2021 to fiscal year 2025 or fiscal year 2021 to
15 fiscal year 2030.

16 (e) APPLICATION.—

17 (1) Upon submission of the statement referred
18 to in subsection (b), all references to allocations, ag-
19 gregates, or other appropriate levels in “this concur-
20 rent resolution” in sections 5201, 5202, and 5203 of
21 the House Concurrent Resolution 71 (115th Con-
22 gress), specified in section 30104(f)(1) of the Bipar-
23 tisan Budget Act of 2018, and continued in effect by
24 section 103(m) of House Resolution 6 (116th Con-
25 gress) and section 1(h)(1) of House Resolution 293

1 (116th Congress), shall be treated for all purposes
2 in the House of Representatives as references to the
3 allocations, aggregates, or other appropriate levels
4 contained in the statement referred to in subsection
5 (b), as adjusted in accordance with this or any other
6 Act.

7 (2) The provisions of House Concurrent Resolu-
8 tion 71 (115th Congress), specified in section
9 30104(f)(1) of the Bipartisan Budget Act of 2018,
10 shall have no force or effect in the House of Rep-
11 resentatives except for the sections of such concur-
12 rent resolution identified in paragraph (1).

13 (f) EXPIRATION.—Subsections (a) through (e) shall
14 no longer apply if a concurrent resolution on the budget
15 for fiscal year 2021 is agreed to by the Senate and House
16 of Representatives.

17 **SEC. 203. LIMITATION ON ADVANCE APPROPRIATIONS IN**
18 **THE HOUSE OF REPRESENTATIVES.**

19 (a) IN GENERAL.—In the House of Representatives,
20 except as provided in subsection (b), any general appro-
21 priation bill or bill or joint resolution continuing appro-
22 priations, or amendment thereto or conference report
23 thereon, may not provide an advance appropriation.

24 (b) EXCEPTIONS.—An advance appropriation may be
25 provided for programs, activities or accounts identified in

1 lists submitted for printing in the Congressional Record
2 by the Chair of the Committee on the Budget—

3 (1) for fiscal year 2022, under the heading “Ac-
4 counts Identified for Advance Appropriations” in an
5 aggregate amount not to exceed \$28,852,000,000 in
6 new budget authority, and for fiscal year 2023, ac-
7 counts separately identified under the same heading;
8 and

9 (2) for fiscal year 2022, under the heading
10 “Veterans Accounts Identified for Advance Appro-
11 priations”.

12 (c) DEFINITION.—The term “advance appropriation”
13 means any new discretionary budget authority provided in
14 a general appropriation bill or bill or joint resolution con-
15 tinuing appropriations for fiscal year 2021, or any amend-
16 ment thereto or conference report thereon, that first be-
17 comes available following fiscal year 2021.

18 (d) EXPIRATION.—The preceding subsections of this
19 section shall expire if a concurrent resolution on the budg-
20 et for fiscal year 2021 is agreed to by the Senate and
21 the House of Representatives pursuant to section 301 of
22 the Congressional Budget Act of 1974.

1 **SEC. 204. AUTHORITY FOR FISCAL YEAR 2020 BUDGET RES-**
2 **OLUTION IN THE SENATE.**

3 (a) FISCAL YEAR 2020.—For the purpose of enforce-
4 ing the Congressional Budget Act of 1974 (2 U.S.C. 621
5 et seq.) and enforcing budgetary points of order in prior
6 concurrent resolutions on the budget, the allocations, ag-
7 gregates, and levels provided for in subsection (b) shall
8 apply in the Senate in the same manner as for a concur-
9 rent resolution on the budget for fiscal year 2020 with
10 appropriate budgetary levels for fiscal year 2020 and for
11 fiscal years 2021 through 2029.

12 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
13 LEVELS.—The Chairman of the Committee on the Budget
14 of the Senate shall submit a statement for publication in
15 the Congressional Record as soon as practicable after the
16 date of enactment of this Act that includes—

17 (1) for the Committee on Appropriations of the
18 Senate, committee allocations for fiscal year 2020
19 consistent with the discretionary spending limits set
20 forth in section 251(c) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985, as amended
22 by this Act, for the purpose of enforcing section 302
23 of the Congressional Budget Act of 1974 (2 U.S.C.
24 633);

25 (2) for all committees other than the Com-
26 mittee on Appropriations, committee allocations for

1 fiscal years 2020, 2020 through 2024, and 2020
2 through 2029 consistent with the May 2019 baseline
3 of the Congressional Budget Office, as adjusted for
4 the budgetary effects of any provision of law enacted
5 during the period beginning on the date such base-
6 line was issued and ending on the date of submission
7 of such statement, for the purpose of enforcing sec-
8 tion 302 of the Congressional Budget Act of 1974
9 (2 U.S.C. 633);

10 (3) aggregate spending levels for fiscal year
11 2020 in accordance with the allocations established
12 under paragraphs (1) and (2), for the purpose of en-
13 forcing section 311 of the Congressional Budget Act
14 of 1974 (2 U.S.C. 642);

15 (4) aggregate revenue levels for fiscal years
16 2020, 2020 through 2024, and 2020 through 2029
17 consistent with the May 2019 baseline of the Con-
18 gressional Budget Office, as adjusted for the budg-
19 etary effects of any provision of law enacted during
20 the period beginning on the date such baseline was
21 issued and ending on the date of submission of such
22 statement, for the purpose of enforcing section 311
23 of the Congressional Budget Act of 1974 (2 U.S.C.
24 642); and

1 (5) levels of Social Security revenues and out-
 2 lays for fiscal years 2020, 2020 through 2024, and
 3 2020 through 2029 consistent with the May 2019
 4 baseline of the Congressional Budget Office, as ad-
 5 justed for the budgetary effects of any provision of
 6 law enacted during the period beginning on the date
 7 such baseline was issued and ending on the date of
 8 submission of such statement, for the purpose of en-
 9 forcing sections 302 and 311 of the Congressional
 10 Budget Act of 1974 (2 U.S.C. 633, 642).

11 (c) ADDITIONAL MATTER.—The filing referred to in
 12 subsection (b) may also include for fiscal year 2020 the
 13 deficit-neutral reserve funds in title III of H. Con. Res.
 14 71 (115th Congress), the concurrent resolution on the
 15 budget for fiscal year 2018, updated by two fiscal years.

16 (d) EXPIRATION.—This section shall expire if a con-
 17 current resolution on the budget for fiscal year 2020 is
 18 agreed to by the Senate and the House of Representatives
 19 pursuant to section 301 of the Congressional Budget Act
 20 of 1974 (2 U.S.C. 632).

21 **SEC. 205. AUTHORITY FOR FISCAL YEAR 2021 BUDGET RES-**
 22 **OLUTION IN THE SENATE.**

23 (a) FISCAL YEAR 2021.—For the purpose of enforce-
 24 ing the Congressional Budget Act of 1974 (2 U.S.C. 621
 25 et seq.), after April 15, 2020, and enforcing budgetary

1 points of order in prior concurrent resolutions on the
2 budget, the allocations, aggregates, and levels provided for
3 in subsection (b) shall apply in the Senate in the same
4 manner as for a concurrent resolution on the budget for
5 fiscal year 2021 with appropriate budgetary levels for fis-
6 cal year 2021 and for fiscal years 2022 through 2030.

7 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
8 LEVELS.—After April 15, 2020, but not later than May
9 15, 2020, the Chairman of the Committee on the Budget
10 of the Senate shall file—

11 (1) for the Committee on Appropriations of the
12 Senate, committee allocations for fiscal year 2021
13 consistent with the discretionary spending limits set
14 forth in section 251(c) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985, as amended
16 by this Act, for the purpose of enforcing section 302
17 of the Congressional Budget Act of 1974 (2 U.S.C.
18 633);

19 (2) for all committees other than the Com-
20 mittee on Appropriations, committee allocations for
21 fiscal years 2021, 2021 through 2025, and 2021
22 through 2030 consistent with the most recent base-
23 line of the Congressional Budget Office, as adjusted
24 for the budgetary effects of any provision of law en-
25 acted during the period beginning on the date such

1 baseline is issued and ending on the date of submis-
2 sion of such statement, for the purpose of enforcing
3 section 302 of the Congressional Budget Act of
4 1974 (2 U.S.C. 642);

5 (3) aggregate spending levels for fiscal year
6 2021 in accordance with the allocations established
7 under paragraphs (1) and (2), for the purpose of en-
8 forcing section 311 of the Congressional Budget Act
9 of 1974 (2 U.S.C. 642);

10 (4) aggregate revenue levels for fiscal years
11 2021, 2021 through 2025, and 2021 through 2030
12 consistent with the most recent baseline of the Con-
13 gressional Budget Office, as adjusted for the budg-
14 etary effects of any provision of law enacted during
15 the period beginning on the date such baseline is
16 issued and ending on the date of submission of such
17 statement, for the purpose of enforcing section 311
18 of the Congressional Budget Act of 1974 (2 U.S.C.
19 642); and

20 (5) levels of Social Security revenues and out-
21 lays for fiscal years 2021, 2021 through 2025, and
22 2021 through 2030 consistent with the most recent
23 baseline of the Congressional Budget Office, as ad-
24 justed for the budgetary effects of any provision of
25 law enacted during the period beginning on the date

1 such baseline is issued and ending on the date of
2 submission of such statement, for the purpose of en-
3 forcing sections 302 and 311 of the Congressional
4 Budget Act of 1974 (2 U.S.C. 633, 642).

5 (c) ADDITIONAL MATTER.—The filing referred to in
6 subsection (b) may also include for fiscal year 2021 the
7 deficit-neutral reserve funds in title III of H. Con. Res.
8 71 (115th Congress), the concurrent resolution on the
9 budget for fiscal year 2018, updated by three fiscal years.

10 (d) EXPIRATION.—This section shall expire if a con-
11 current resolution on the budget for fiscal year 2021 is
12 agreed to by the Senate and the House of Representatives
13 pursuant to section 301 of the Congressional Budget Act
14 of 1974 (2 U.S.C. 632).

15 **SEC. 206. LIMITATION ON ADVANCE APPROPRIATIONS IN**
16 **THE SENATE.**

17 (a) POINT OF ORDER AGAINST ADVANCE APPRO-
18 PRIATIONS IN THE SENATE.—

19 (1) IN GENERAL.—

20 (A) POINT OF ORDER.—Except as pro-
21 vided in paragraph (2), it shall not be in order
22 in the Senate to consider any bill, joint resolu-
23 tion, motion, amendment, amendment between
24 the Houses, or conference report that would

1 provide an advance appropriation for a discre-
2 tionary account.

3 (B) DEFINITION.—In this subsection, the
4 term “advance appropriation” means any new
5 budget authority provided in a bill or joint reso-
6 lution making appropriations for fiscal year
7 2020 that first becomes available for any fiscal
8 year after 2020 or any new budget authority
9 provided in a bill or joint resolution making ap-
10 propriations for fiscal year 2021 that first be-
11 comes available for any fiscal year after 2021.

12 (2) EXCEPTIONS.—Advance appropriations may
13 be provided—

14 (A) for fiscal years 2021 and 2022 for pro-
15 grams, projects, activities, or accounts identi-
16 fied in a statement submitted to the Congres-
17 sional Record by the Chairman of the Com-
18 mittee on the Budget of the Senate under the
19 heading “Accounts Identified for Advance Ap-
20 propriations” in an aggregate amount not to
21 exceed \$28,852,000,000 in new budget author-
22 ity in each fiscal year;

23 (B) for the Corporation for Public Broad-
24 casting; and

1 (C) for the Department of Veterans Affairs
2 for the Medical Services, Medical Support and
3 Compliance, Veterans Medical Community
4 Care, and Medical Facilities accounts of the
5 Veterans Health Administration.

6 (3) SUPERMAJORITY WAIVER AND APPEAL.—

7 (A) WAIVER.—In the Senate, paragraph
8 (1) may be waived or suspended only by an af-
9 firmative vote of three-fifths of the Members,
10 duly chosen and sworn.

11 (B) APPEAL.—An affirmative vote of
12 three-fifths of the Members of the Senate, duly
13 chosen and sworn, shall be required to sustain
14 an appeal of the ruling of the Chair on a point
15 of order raised under paragraph (1).

16 (4) FORM OF POINT OF ORDER.—A point of
17 order under paragraph (1) may be raised by a Sen-
18 ator as provided in section 313(e) of the Congres-
19 sional Budget Act of 1974 (2 U.S.C. 644(e)).

20 (5) CONFERENCE REPORTS.—When the Senate
21 is considering a conference report on, or an amend-
22 ment between the Houses in relation to, a bill or
23 joint resolution, upon a point of order being made
24 by any Senator pursuant to this subsection, and
25 such point of order being sustained, such material

1 contained in such conference report or amendment
2 between the Houses shall be stricken, and the Sen-
3 ate shall proceed to consider the question of whether
4 the Senate shall recede from its amendment and
5 concur with a further amendment, or concur in the
6 House amendment with a further amendment, as
7 the case may be, which further amendment shall
8 consist of only that portion of the conference report
9 or House amendment, as the case may be, not so
10 stricken. Any such motion in the Senate shall be de-
11 batable. In any case in which such point of order is
12 sustained against a conference report (or Senate
13 amendment derived from such conference report by
14 operation of this paragraph), no further amendment
15 shall be in order.

16 (b) SUNSET.—Subsection (a) shall terminate on the
17 date on which a concurrent resolution on the budget for
18 fiscal year 2021 is agreed to by the Senate and House
19 of Representatives pursuant to section 301 of the Congres-
20 sional Budget Act of 1974 (2 U.S.C. 632).

21 **SEC. 207. POINT OF ORDER AGAINST CERTAIN CHANGES IN**
22 **MANDATORY PROGRAMS IN THE SENATE.**

23 (a) DEFINITION.—In this section, the term
24 “CHIMP” means a provision that—

1 (1) would have been estimated as affecting di-
2 rect spending or receipts under section 252 of the
3 Balanced Budget and Emergency Deficit Control
4 Act of 1985 (2 U.S.C. 902) (as in effect prior to
5 September 30, 2002) if the provision was included
6 in legislation other than appropriation Acts; and

7 (2) results in a net decrease in budget authority
8 in the budget year, but does not result in a net de-
9 crease in outlays over the period of the total of the
10 current year, the budget year, and all fiscal years
11 covered under the most recently adopted concurrent
12 resolution on the budget.

13 (b) POINT OF ORDER IN THE SENATE.—

14 (1) IN GENERAL.—It shall not be in order in
15 the Senate to consider a bill or joint resolution mak-
16 ing appropriations for a full fiscal year, or an
17 amendment thereto, amendment between the Houses
18 in relation thereto, conference report thereon, or mo-
19 tion thereon, that includes a CHIMP that, if en-
20 acted, would cause the absolute value of the total
21 budget authority of all such CHIMPs enacted in re-
22 lation to a full fiscal year to be more than the
23 amount specified in paragraph (2).

24 (2) AMOUNT.—The amount specified in this
25 paragraph is, for fiscal year 2021, \$15,000,000,000.

1 (c) DETERMINATION.—For purposes of this section,
2 budgetary levels shall be determined on the basis of esti-
3 mates provided by the Chairman of the Committee on the
4 Budget of the Senate.

5 (d) SUPERMAJORITY WAIVER AND APPEAL IN THE
6 SENATE.—In the Senate, subsection (b) may be waived
7 or suspended only by an affirmative vote of three-fifths
8 of the Members, duly chosen and sworn. An affirmative
9 vote of three-fifths of the Members of the Senate, duly
10 chosen and sworn, shall be required to sustain an appeal
11 of the ruling of the Chair on a point of order raised under
12 subsection (b).

13 **SEC. 208. POINT OF ORDER AGAINST DESIGNATION OF**
14 **FUNDS FOR OVERSEAS CONTINGENCY OPER-**
15 **ATIONS IN THE SENATE.**

16 (a) POINT OF ORDER.—When the Senate is consid-
17 ering a bill, joint resolution, motion, amendment, amend-
18 ment between the Houses, or conference report, if a point
19 of order is made by a Senator against a provision that
20 designates funds for fiscal years 2020 or 2021 for overseas
21 contingency operations, in accordance with section
22 251(b)(2)(A) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), and
24 the point of order is sustained by the Chair, that provision

1 shall be stricken from the measure and may not be offered
2 as an amendment from the floor.

3 (b) FORM OF THE POINT OF ORDER.—A point of
4 order under subsection (a) may be raised by a Senator
5 as provided in section 313(e) of the Congressional Budget
6 Act of 1974 (2 U.S.C. 644(e)).

7 (c) CONFERENCE REPORTS.—When the Senate is
8 considering a conference report on, or an amendment be-
9 tween the Houses in relation to, a bill or joint resolution,
10 upon a point of order being made by any Senator pursuant
11 to subsection (a), and such point of order being sustained,
12 such material contained in such conference report or
13 House amendment shall be stricken, and the Senate shall
14 proceed to consider the question of whether the Senate
15 shall recede from its amendment and concur with a fur-
16 ther amendment, or concur in the House amendment with
17 a further amendment, as the case may be, which further
18 amendment shall consist of only that portion of the con-
19 ference report or House amendment, as the case may be,
20 not so stricken. Any such motion in the Senate shall be
21 debatable. In any case in which such point of order is sus-
22 tained against a conference report (or Senate amendment
23 derived from such conference report by operation of this
24 subsection), no further amendment shall be in order.

1 (d) SUPERMAJORITY WAIVER AND APPEAL.—In the
2 Senate, this section may be waived or suspended only by
3 an affirmative vote of three-fifths of the Members, duly
4 chosen and sworn. An affirmative vote of three-fifths of
5 Members of the Senate, duly chosen and sworn shall be
6 required to sustain an appeal of the ruling of the Chair
7 on a point of order raised under this section.

8 (e) SUSPENSION OF POINT OF ORDER.—This section
9 shall not apply if a declaration of war by Congress is in
10 effect.

11 **SEC. 209. EXERCISE OF RULEMAKING POWERS.**

12 The sections of this title are enacted by the Con-
13 gress—

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

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

1 **TITLE III—TEMPORARY EXTEN-**
2 **SION OF PUBLIC DEBT LIMIT**

3 **SEC. 301. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.**

4 (a) **IN GENERAL.**—Section 3101(b) of title 31,
5 United States Code, shall not apply for the period begin-
6 ning on the date of the enactment of this Act and ending
7 on July 31, 2021.

8 (b) **SPECIAL RULE RELATING TO OBLIGATIONS**
9 **ISSUED DURING EXTENSION PERIOD.**—Effective on Au-
10 gust 1, 2021, the limitation in effect under section
11 3101(b) of title 31, United States Code, shall be increased
12 to the extent that—

13 (1) the face amount of obligations issued under
14 chapter 31 of such title and the face amount of obli-
15 gations whose principal and interest are guaranteed
16 by the United States Government (except guaran-
17 teed obligations held by the Secretary of the Treas-
18 ury) outstanding on August 1, 2021, exceeds

19 (2) the face amount of such obligations out-
20 standing on the date of the enactment of this Act.

21 (c) **EXTENSION LIMITED TO NECESSARY OBLIGA-**
22 **TIONS.**—An obligation shall not be taken into account
23 under subsection (b)(1) unless the issuance of such obliga-
24 tion was necessary to fund a commitment incurred pursu-

1 ant to law by the Federal Government that required pay-
2 ment before August 1, 2021.

3 **TITLE IV—OFFSETS**

4 **SEC. 401. CUSTOMS USER FEES.**

5 (a) IN GENERAL.—Section 13031(j)(3) of the Con-
6 solidated Omnibus Budget Reconciliation Act of 1985 (19
7 U.S.C. 58c(j)(3)) is amended—

8 (1) in subparagraph (A), by striking “October
9 20, 2027” and inserting “September 30, 2029”; and

10 (2) in subparagraph (B)(i), by striking “Sep-
11 tember 30, 2027” and inserting “September 30,
12 2029”.

13 (b) RATE FOR MERCHANDISE PROCESSING FEES.—
14 Section 503 of the United States–Korea Free Trade
15 Agreement Implementation Act (Public Law 112–41; 19
16 U.S.C. 3805 note) is amended by striking “May 26, 2027”
17 and inserting “September 30, 2029”.

18 **SEC. 402. EXTENSION OF DIRECT SPENDING REDUCTIONS**

19 **THROUGH FISCAL YEAR 2029.**

20 Section 251A(6) of the Balanced Budget and Emer-
21 gency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is
22 amended—

23 (1) in subparagraph (B), in the matter pre-
24 ceding clause (i), by striking “fiscal years 2022

1 through 2027” and inserting “fiscal years 2022
2 through 2029”; and

3 (2) in subparagraph (C), in the matter pre-
4 ceding clause (i), by striking “fiscal year 2027” and
5 inserting “fiscal year 2029”.

6 **TITLE V—BUDGETARY EFFECTS**

7 **SEC. 501. BUDGETARY EFFECTS.**

8 (a) IN GENERAL.—The budgetary effects of this Act
9 shall not be entered on either PAYGO scorecard main-
10 tained pursuant to section 4(d) of the Statutory Pay-As-
11 You-Go Act of 2010 (2 U.S.C. 933(d)).

12 (b) SENATE PAYGO SCORECARDS.—The budgetary
13 effects of this Act shall not be entered on any PAYGO
14 scorecard maintained for purposes of section 4106 of H.
15 Con. Res. 71 (115th Congress).

Passed the House of Representatives July 25, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 3877

AN ACT

To amend the Balanced Budget and Emergency Deficit Control Act of 1985, to establish a congressional budget for fiscal years 2020 and 2021, to temporarily suspend the debt limit, and for other purposes.